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[redacted]

H. Br. Coulds. Court of King's Bench

THE

TRIAL

OF

JAMES WATSON,

FOR

High Treason,

AT THE

BAR OF THE COURT OF KING'S BENCH,

ON

Monday the 9th,
Tuesday the 10th,
Wednesday the 11th,
Thursday the 12th,
Friday the 13th,
Saturday the 14th; and
Monday the 16th of June, 1817.

WITH THE ANTECEDENT PROCEEDINGS.

IN TWO VOLUMES:—VOL. I.

TAKEN IN SHORT HAND BY

WILLIAM BRODIE GURNEY,

Short Hand Writer to both Houses of Parliament.

London:

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1817.

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THE

TRIAL

OF

JAMES WATSON

FOR

High Treason.

COURT OF KING'S BENCH,

Monday, 28th April, 1817.

The Sheriff delivered in the panel of the Grand Jury, which was called over, when the following gentlemen were sworn:

THE GRAND JURY.

George Read, Esq. (Foreman).

Henry Hare Townsend, Esq.
Patrick Byrne, Esq.
Robert Wilkinson, Esq.
Bartholomew Barnewall, Esq.
Jol. ı Wright, Esq.
P 'er Campbell, Esq.
John Jackson, Esq.
William Palmer, Esq.
Nathaniel Suell, Esq.
Life Dacre, Esq.
'arles Pole, Esq.
Thomas Reynolds, Esq.
John Webb Weston, Esq.
William Plenderleath, Esq.
Henry Usbourne, Esq.
John Cotton, Esq.
William Walter, Esq.
George Dorrien, Esq.
William Evans, Esq.
Robert Stone, Esq.
George Knox, Esq.
George Musgrave, Esq.

Mr. Justice BAYLEY.

Gentlemen of the Grand Jury,

You are assembled as Grand Jurors for this county to discharge the duty of that service. Of the general nature of your duty I have no doubt you are all previously well aware; it generally is to examine into each particular charge which may be brought before you, and if you find the charge substantiated by such evidence as you believe, to find such bill containing such charge.

But, Gentlemen, I understand there is likely to be brought under your consideration a charge different from that which ordinarily occupies the attention of Grand Juries in this place, a charge of the highest crime which can be committed, the crime of High Treason. Gentlemen, of the particular evidence by which that charge is to be supported I am (as I ought to be) as ignorant as you are; I know no particular of any part of that evidence; but it is my duty, as accurately as I can, to point out to you before hand what is the law applicable to the subject, so that you may be able to refer that law to the evidence which may be brought under your consideration, and (when that evidence is adduced) may be able to decide conscientiously and rightly, between the public on the one hand, and the individuals who are the subjects of the charge on the other.

Gentlemen, this charge will, I believe, contain four different descriptions of Treason; that of compassing and imagining the King's death—that of compassing and imagining to depose the King—that of levying war against the King—and that of conspiring to levy war to force the crown to change its measures, and its councils.

Gentlemen, two of these, namely, the first and the third, are made treasons by an Act of Parliament, passed so long ago as the reign of Edward the Third; the second and the fourth are made so by an Act of Parliament of the present reign, namely, the 36th of his present Majesty, chapter 7. I mention the chapter, because, if necessary, you may, in the course of your *duty, have an opportunity* to refer to it.

Gentlemen, the offence of compassing and imagining either the King's death or his removal, is considered as an act of the mind only, and unless that is further evinced and indicated, by some act moving towards one of those ends, namely, the death or deposing of the King, the charge would not be made out, and therefore, upon those counts you must be convinced, not merely that such an idea entered into the man's mind, but that he acted upon that compassing and imagination. Gentlemen, the law considers the offence of compassing and imagining the King's death, or deposition, not to be confined to those cases in which it enters into the mind of the person against whom the charge is made, actually to destroy the King, or actually to depose the King; but if his object is of such a nature, that in the means taken to accomplish that object, the life, or safety, or continuance upon the throne of the King, is likely to be brought into hazard, the law considers the entertaining and acting upon an object of that kind, as necessarily contemplating what, if the treason were successful, would probably be its ultimate end, namely, the death or deposition of the King.—Every man is considered as having in his mind whatever is the probable consequence of the means he is adopting.

Gentlemen, levying war against the crown is considered as an act shewing in the person who is guilty of it, a compassing and imagining of the King's death; for a man who will be wicked enough to levy war against the crown, would not (if he were to be successful) be likely to stop, till he had taken off, or at least removed from the throne, that person whose duty it would be to punish the treason, if he were permitted to live, and continued in the possession of his power; and therefore the act of levying war is considered evidence, or as I shall have occasion to explain to you by and by, an overt act of compassing and imagining the King's death, and an overt act compassing and imagining the deposal of the King.

Gentlemen, it is very necessary that you should be apprized before hand what the law *considers* as a levying of war. It is

not absolutely necessary in order to constitute that offence, that there should be a regular organized force, or that the persons should be in military array. If there is an insurrection, that is, a large rising of people, in order by force and violence to accomplish or avenge, not any private objects of their own, not any private quarrels of their own, but to effectuate any general public purpose that is considered by the law as levying of war; there must be an insurrection, force must accompany that insurrection, and it must be for an object of a general nature, but if all these circumstances concur, that is quite sufficient to constitute the offence of levying war.

Gentlemen, that point has been under the consideration of the judges at many different periods of time, and has always received from them the same determination. One of the early cases which I mention by way of illustrating the principle, for it will be an important feature, probably, under your consideration; one of the early cases was of this description:—There was a general rising, a rising of about 5000 people, with a view not to do any very wicked act, but to put down all brothels, or houses of ill fame; that was not to revenge any thing private belonging to any of those particular persons who were concerned in it, it was to produce in that respect a general reform. The judges were of opinion that it was not for individuals to take upon themselves by force to effectuate any thing of a general description, and therefore that was considered as an act of High Treason, the insurrection for that purpose was held an act of levying war.

There was another case in which the parties met in large numbers, and with a considerable degree of force, to pull down all meeting houses, the meeting houses of those persons who differed in opinion from the regular Established Church. The judges who had that case under their consideration, in the reign of Queen Anne, were all of opinion, that inasmuch as it was for a general purpose, that it amounted to the offence of levying war.

Gentlemen, in our own times, in Lord George Gordon's case, there was an insurrection for the purpose of putting down Popery; there was a very large insurrection with a view to that object; to support, or at least apparently to support, our own religious establishment, and to put down all those persons who were of the Roman Catholic profession; and the judges there, [illegible] no doubt or difficulty, that a rising for that general purpose was an act of levying war against the crown.

Gentlemen, the Text Writers upon this subject, Sir Matthew Hale, and Mr. Justice Forster, who coolly in their closets considered these particular topics, agree in the same description of the offence, and therefore what I am now stating to you, is not only the deliberate consideration of judges who occasionally had to decide, but of those judges also who were writing for posterity. If, therefore, in that which shall come before you, you shall find that there was a rising, a rising accompanied with circumstances of force, and you shall be satisfied that the persons who so rose, or any of them, had it in their object to effect by force and violence, any general reform of any description whatever, or that they had any other general public purpose, it will amount to the offence of levying war.

Gentlemen, another of the charges is a conspiring to levy war, with a view to force the crown to alter its measures or its councils; that supposes that there has not been such an insurrection with such force and violence as amounts to the actual levying of war, but merely supposes that certain persons have met together, and that the result of their deliberation and determination has been their endeavour to effectuate such a rising, and to effectuate that rising for the purpose which the bill will charge, namely, the offence of compelling his majesty by force to change his measures and his councils. Upon that charge you must be satisfied, first, that a conspiracy existed, and, secondly, that it had for its object the purpose charged.

Gentlemen, in order to support those different acts the law expects that what are called the overt acts shall, with reference

to most of these Treasons be stated in the body of the Bill of Indictment to be preferred. These overt acts do not constitute the Treason; that is comprised in the compassing the King's death; in the compassing the deposal of the King, in the conspiring to levy war, or in the actual levying of war; but these which are called overt acts are necessarily introduced into the Indictment, and are the evidence by which the charge is afterwards to be supported, and they are introduced into the Indictment, that each person against whom the charge is made may have the opportunity of knowing before hand, what is the evidence by which he is to be affected, in order that he may be put upon his guard to meet that evidence.

Gentlemen, the overt acts will require careful consideration at your hands; there will probably be many applicable to each charge, if upon the investigation you shall be fully satisfied of the truth of any one overt act, and shall be satisfied also that the other parts of the charge are effectually made out, a satisfaction with reference to one single overt act, will make it your duty to find the bill. It is not necessary that every overt act charged in the Indictment, should afterwards be established by evidence, but it will be right that you should examine into each overt act which is charged in the Indictment; and that you should not stop your enquiry as soon as you are satisfied with evidence applicable to any one only, because each overt act imports upon the face of the Indictment to be found by you, and, therefore, you ought not to return a bill, stating a variety of overt acts, unless you are satisfied with respect to each and every of those acts; what I should recommend to you, therefore, in going through the Bill is this: if all the overt acts shall be proved by evidence to your satisfaction, then you will properly return the Bill with all those overt acts; but if it should turn out that some of the overt acts are established, but that the evidence fails as to the rest, then it will be right on your part, either to strike out from the Bill such of the overt acts as are not proved to your satisfaction, or to express distinctly in your finding that such overt acts are not found.

Gentlemen, when all or any of the overt acts are established, you may properly put to yourselves this question:—were those acts, all or any of them, done in order to accomplish any such general purpose as amounts in law to the offence of levying war? If you are satisfied they were, it will be your duty to find the bill upon those overt acts.

Gentlemen, it will be necessary in order to give you jurisdiction, that some one at least of those overt acts should have taken place in the County of Middlesex; you know that you have jurisdiction with respect to such offences only as arise within your own county, but if you are satisfied that any one of these overt acts has occurred in the County of Middlesex, it is your duty also to enquire as to other overt acts, wherever they may have been committed, whether in London, or in Surrey, or elsewhere. If any one of the overt acts has occurred in the County of Middlesex, that makes it your duty to inquire as to all the other overt acts wherever committed.

Gentlemen, it is necessary that a charge of treason should be supported by two witnesses; if there were one witness alone, the bill could not be found. This shews the attention the law gives to charges of this high enormity. But it is not necessary that you should have two witnesses to the same overt act: if there is one witness to one overt act, and another witness to another overt act of the same treason, that will be quite sufficient to warrant you in finding the Bill, and will be a compliance with that requisite which says, there shall be two witnesses, in order to make out a charge of Treason; but if Treasons of divers heads or kinds are charged in the Indictment, one witness to an overt act of one of those Treasons, and another witness to an overt act of another of them, would not be sufficient.

Gentlemen, if you shall be satisfied from the general nature of the evidence, that the charge of Treason is effectually made out and rests somewhere, then it will become your duty to consider the case, as it applies to each of the different persons who

are the subject of the charge. The Bill probably will be against more than one person. Gentlemen, Treason differs from felony in this:—in felony there are accessaries; in Treason there are none: what would make an accessary in felony, makes a principal in Treason. He who plans the thing, or who devises the means by which it is to be effected, or draws in others to co-operate, or does any other act preparatory to the execution of the thing proposed, is as much a principal as he who executes that thing: and provided a man once comes into the common purpose and design, every previous act with a view to that purpose and design, and every subsequent act, is as much his act, as if he had done it himself. If, therefore, gentlemen, you are satisfied that any of these persons concurred in planning the thing, concurred in inciting others to engage in it, or engaged in it at a subsequent period after it had been planned and devised by others, but came into it for the purpose of carrying it into effect; provided you shall find that they all had the same common purpose and design, no matter when any one person entered into that common purpose or design, every one who did enter into it, is in law a party to every act which had been before done by the others, and a party to every act which might be afterwards done by any of the others; and therefore, what you will have to consider with reference to each person will be this:—did such person at any period of time join in this common purpose? if he did, whether he were present at any particular meeting or not? whether he were present at the time when the rising took place or not? if he were partly to the common purpose, that would make him equally guilty, as if he had been actually present at every one of the acts and deliberations which will be brought under your consideration.

Gentlemen, I omitted to state to you, that amongst the overt acts you will probably find *conspiring* will be one of the subjects charged, and *consulting* another. In order to support these, *it is not absolutely* necessary that you should have positive *evidence from* persons who heard them consult, or from persons

who heard them conspire, or even that you should have evidence of an actual meeting for that purpose, if you shall find that there was a plan, and you shall be satisfied from what was done, that there must have been previous consultation and conspiracy, either by the persons who are the objects of the charge, or by persons engaged with them in the same common purpose and design, that will justify your finding the conspiracy and consultation.

Gentlemen, I have endeavoured as shortly and as clearly as I can, to suggest to you such considerations as may be material in directing your judgments in the discharge of this important duty; it is very material on the one hand to the public, if Treason has existed, that that Treason should be developed, and that the persons who have been concerned in it should be brought under trial; and on the other hand, it is a very heavy charge: you will be cautious, and will give to the case the fullest and fairest investigation; and you will not return a Bill against the persons charged, unless the evidence produces satisfaction to your minds, that they are guilty of some or all of the charges which shall be brought before you against them.

Gentlemen, these are the observations it occurs to me to make: if in the discharge of your duty any material difficulty should arise, I shall be very glad to give you any assistance in my power.

On Tuesday the 29th April, the Grand Jury returned a true Bill of Indictment for High Treason, against Arthur Thistlewood, James Watson, the Elder, James Watson, the Younger, Thomas Preston, and John Hooper: not found against John Keenes.

Mr. Attorney General.

In consequence of the Bill of Indictment which the Grand Jury have now returned to your Lordships, it becomes my duty to move, that the Sheriff of Middlesex may be directed to deliver to Mr. Litchfield, the Solicitor for the Treasury, a list of a proper

number of persons capable of serving on juries, in order that that list may be copied, and a copy delivered to each of the persons against whom this Bill of Indictment is found.

Lord Ellenborough. Be it so.

Mr. Attorney General. It may be proper for me to take this opportunity of stating to your Lordships, that there has been nothing which I, and I may say, every person connected with the duty of prosecuting this offence, have had more at heart, than to bring it to the earliest possible examination.

Your Lordships know perfectly well that the present stage of enquiry has, by the kind permission of the Court, being somewhat accelerated—the Grand Jury, according to the usual provisions of the Court, would not have been assembled so early in the Term—therefore every provision has been made, that the persons accused might have their deliverance, at the earliest possible moment.

Your Lordships have now ordered that the Sheriff of the County of Middlesex should return a proper number of names to serve upon the Jury—that number your Lordships know must be considerable. I cannot know exactly when that duty will be performed, but I have every reason to believe it will be very promptly performed. Assuming that that will so be done, with the greatest anxiety that the case should be tried at the earliest possible moment, I have found that it is impossible by Law that I should ask your Lordships to appoint any earlier day to commence the Trial at the Bar, than the Friday preceding the conclusion of the Term, leaving therefore Saturday and Monday only, the Term concluding on Monday.

Your Lordships know very well that a considerable portion of the first day of such a proceeding must necessarily be consumed before the Jury can be sworn, so that probably my duty in stating the Case would not commence till late on the Friday. The Court would then have left for this important investigation only Saturday, and (Sunday intervening) Monday, and if by any *accident by the length* of the enquiry (and I cannot conceal that *the number of* Witnesses I must call is very large) the Term

should expire before the proceeding should have arrived at its conclusion, all would be labour in vain; I say nothing in a grave proceeding like this, of the inconvenience which would be felt at the end of the Term by the interruption of business, that is not unworthy of consideration: but I know how ready your Lordships would be to lay aside all other business for this grave and important case, but it appears to me my bounden duty not to ask your Lordships to take this Case in the present Term, I consider my duty to the Prisoners and my duty to the public to stand upon the same footing. I can have no wish but that which is common to me, if I may presume to say so with your Lordships, that justice should be done, and satisfactorily done; therefore I have thought the earliest moment at which I can communicate this to your Lordships, the fittest moment; I should ask, that on as early a day as possible in the next Term, your Lordships would have the goodness to proceed. I shall apply to the Court in the course of the Term, that the parties may be arraigned, which will be one step gained this Term.

Lord Ellenborough. From what you have stated, Mr. Attorney General, it appears that the Trial cannot practicably be concluded in the present Term, it would therefore have no other effect, than distressing the feelings of the persons who are the objects of it; the Court will therefore consider what day in the next Term will be most proper.

Mr. Attorney General. I thought it even for the Prisoners desirable I should take the earliest opportunity of communicating this to your Lordships.

Lord Ellenborough. The first day of the Trial would certainly be occupied in the way you have stated, and at what time the business would be terminated must be of course uncertain. Without pledging ourselves that that shall be the day, it is in our contemplation to fix the first Monday in the next Term, but as that will come within the first four days of the Term, we must request Gentlemen who have motions for new Trials, to make those motions on Friday or Saturday *leaving Monday vacant for this Trial.*

THE INDICTMENT.

Middlesex to wit The jurors for our Lord the King upon their oath present that *Arthur Thistlewood* late of the parish of Saint Andrew Holborn in the county of Middlesex gentleman *James Watson* the elder late of the parish of Saint George Bloomsbury in the same county surgeon *James Watson* the younger late of the same place surgeon *Thomas Preston* late of London cordwainer and *John Hooper* late of the parish of Saint Ann within the liberty of Westminster in the said county of Middlesex labourer Being Subjects of our said Lord the King not having the Fear of God in their hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the first day of November in the fifty-seventh year of the Reign of our said present Sovereign Lord *George the Third* by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and on divers other Days and Times as well before as after with Force and Arms at the parish of Saint James Clerkenwell in the county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose names are to the said Jurors unknown did compass imagine and intend to move and excite Insurrection Rebellion and War against our said Lord the King within this Kingdom and to subvert and alter the Legislature Rule and Government now duly and happily established within this Kingdom and to bring and put our said Lord the King to Death And to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood *James Watson the* elder James Watson the younger Thomas

Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did assemble meet conspire and consult among themselves and together with divers other false Traitors whose names are to the said Jurors unknown to devise arrange and mature Plans and Means to subvert and destroy the Constitution and Government of this Realm as by Law established and to deprive and depose our said Lord the King of and from the Style Honour and Kingly Name of the Imperial Crown of this Realm And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree among themselves and together with divers other false Traitors whose Names are to the said Jurors unknown to stir up raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint

James Clerkenwell in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown with Force and Arms to attack and seize upon the Bank of England and the King's Tower of London and to seize and take possession of divers Ordnance Warlike Weapons Arms and Ammunition therein and in divers other Magazines and Places deposited and being with intent by and with the said Ordnance Weapons Arms and Ammunition to arm themselves and other false Traitors and to attack fight with kill and destroy the Soldiers Troops and Forces of our said Lord the King and other his liege and faithful Subjects and to raise levy and make Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did conspire consult agree attempt and endeavour to seduce divers Soldiers serving in the Land Forces of our said Lord the King and also divers other liege Subjects of our said Lord the King from their Duty and Allegiance to our said Lord the King and to move persuade and procure the same and other Soldiers and Subjects of our said Lord the King to associate and join themselves with and be aiding and assisting to them the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper and *divers other false* Traitors in a wicked and traitorous Attempt *by them the said* Arthur Thistlewood James Watson the elder

James Watson the younger Thomas Preston and John Hooper and divers other false Traitors to be made to subvert and destroy the Government and Constitution of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did give Orders to a certain Person to wit one Isaac Bentley to manufacture and provide divers to wit Two Hundred and Fifty Iron Pike Heads and did purchase and receive of and from the said last mentioned Person the said Iron Pike Heads with intent therewith to form Pikes and with such Pikes to arm themselves and divers other false Traitors in order to attack fight with kill and destroy the Soldiers Troops and Forces of our said Lord the King and other his liege and faithful Subjects and to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did purchase procure provide and have divers large Quantities of Arms to wit Swords and Pistols and divers large Quantities of Ammunition to wit Gunpowder Leaden Bullets

and Slugs and also divers Flags Banners and Ensigns with intent therewith to arm and array themselves and divers other false Traitors in order to attack fight with kill and destroy the Soldiers Troops and Forces of our said Lord the King and other his liege and faithful Subjects and to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did assemble meet conspire consult and agree amongst themselves and together with divers other false Traitors whose names are to the said Jurors unknown to set Fire to burn and destroy divers Barracks of our said Lord the King used for the reception and residence of the Soldiers Troops and Forces of our said Lord the King in this Realm and to provide and prepare Combustibles and materials to wit Tar Pitch Sulphur Resin Spirits of Wine Tallow and Turpentine for the purpose of setting Fire to burning and destroying the said Barracks And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did make a proposal to *and treat with* and cause and procure a Proposal and Treaty to

be made and had to and with a certain Person to wit one Walter Cosser concerning and for the hire of a certain House and did then and there by such Proposal and Treaty endeavour to obtain and hire the said House for the purpose of depositing and keeping therein Combustibles and Materials to wit Tar Pitch Resin Sulphur Spirits of Wine Tallow and Turpentine with intent to use the same in and for the setting Fire to burning and destroying of certain Barracks of our said Lord the King used for the reception and residence of the Soldiers Troops and Forces of our said Lord the King And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did conspire to procure and did by Advertisements in the public Newspapers and by Placards and Hand-Bills and by divers other ways and means invite divers and very large Numbers of the liege Subjects of our said Lord the King to assemble and meet together on divers Days and Times in a certain place commonly called Spa-Fields in the said county of Middlesex with intent that divers of them the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper and other false Traitors might make and utter in the presence and hearing of the Subjects of our said Lord the King to be so there assembled Seditious Inflammatory and Treasonable Speeches and Harangues and thereby move excite cause and procure the said last-mentioned Subjects to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They

the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the twenty-seventh day of November in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did make Applications and Proposals to and treat with and cause and procure Applications Proposals and Treaties to be made and had to and with divers Persons to wit one William Duke one John Richardson and one Frederick Windernaude concerning and for the Hire of certain Waggons Stages Platforms and other Machines to be conveyed to the aforesaid place commonly called Spa Fields in the said county of Middlesex and there to be used for the purpose that divers of them the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper and other false Traitors should thereupon and therefrom make and utter Seditious Inflammatory and Treasonable Speeches and Harangues to divers Subjects of our said Lord the King there to be assembled in order thereby to move excite cause and procure the same Subjects to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm And further to fulfil perfect and to bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the twenty-eighth day of November in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did treat for hire and engage a certain Waggon and divers to wit Two Horses and afterwards to wit on the second day of December in the fifty-seventh year of the Reign aforesaid at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously *and traitorously* did provide and cause to be placed in the same

Waggon divers large quantities of Ammunition to wit Gunpowder Shot Leaden Bullets and Slugs and divers Flags Banners and Ensigns and did cause the same Waggon with the said Ammunition and the said Flags Banners and Ensigns therein to be drawn to the aforesaid place called Spa Fields in the said county of Middlesex and did provide divers Ribbons and Cockades and did ascend and get into the same Waggon and did exhibit and display to great Numbers to wit Five Thousand and more of the Subjects of our said Lord the King there then being the said Flags Banners and Ensigns and also the said Ribbons and Cockades and the said James Watson the elder and James Watson the younger with force and arms maliciously and traitorously did then and there to wit at the said parish of Saint James Clerkenwell in the said county of Middlesex respectively make and with loud Voices utter to and in the presence and hearing of the said Subjects of our said Lord the King so then there being Seditious Inflammatory and Treasonable Speeches and Harangues and the said James Watson the younger with Force and Arms maliciously and traitorously did then and there seize and take into his hands one of the said Flags and did call upon and invite the said Subjects of our said Lord the King so then there being to follow him the said James Watson the younger they the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper then and there meaning and intending by means of the several Premises aforesaid to move excite cause and procure the said Subjects of our said Lord the King so there then being to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and to subvert and destroy the Constitution and Government of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper, as such false Traitors as aforesaid on the said second day

of December in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously together with a very great Number to wit One Thousand and more of the Subjects of our said Lord the King whose names are to the said Jurors unknown then and there assembled with Flags Banners and Ensigns Ribbons and Cockades and also with divers offensive Weapons to wit Swords Guns Pistols Sticks and Staves did parade and march with great noise and violence through divers public Streets and Highways and in the said public Streets and Highways did brandish and exhibit the said Swords and other offensive Weapons and fire off and discharge the said Guns and Pistols and did attack and beset the Houses and Shops of divers Gunsmiths and Dealers in Arms and did seize and take divers large quantities of Arms to wit Swords Guns and Pistols with intent by and with the said last mentioned Arms further to arm themselves and other false Traitors in order to attack fight with kill and destroy the Soldiers Troops and Forces of our said Lord the King and other his liege and faithful Subjects and to raise make and levy Insurrection Rebellion and War against our said Lord the King within this Realm and thereby to subvert and destroy the Constitution and Government of this Realm as by Law established And further to fulfil perfect and bring to Effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said second day of December in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously did proceed together with divers other false Traitors whose Names are to the said Jurors unknown to the *King's* Tower of London and did with loud Voice address *certain Soldiers* serving in the Land Forces of our said Lord

the King then being stationed in the said Tower and did invite and endeavour to seduce the same Soldiers to open the Gates of the said Tower and to admit divers of the said false Traitors into the said Tower in order that the said last-mentioned false Traitors might enter into the said Tower and take Possession thereof and of the Ordnance Stores Arms and Ammunition therein deposited and being and to associate and join themselves the said last-mentioned Soldiers with and be aiding and assisting to them the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper in a wicked and traitorous Attempt to subvert and destroy the Government and Constitution of this Realm as by Law established And further to fulfil perfect and bring to effect their most evil and wicked Treason and Treasonable Compassing and Imagination aforesaid They the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper as such false Traitors as aforesaid on the said second day of December in the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of Saint James Clerkenwell in the said County of Middlesex together with a great Multitude of false Traitors whose Names are to the said Jurors unknown to the Number of One Thousand and more armed and arrayed in a Warlike manner that is to say with Flags Banners Ensigns Swords Pistols Clubs Bludgeons and other Weapons maliciously and traitorously did ordain prepare levy and make public War against our said Lord the King within this Realm In Contempt of our said Lord the King and his Laws to the evil Example of all others contrary to the Duty of the Allegiance of them the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper against the form of the Statute in such Case made and provided and against the Peace of our said Lord the King his Crown and dignity—

[*Second Count.*]—And the Jurors aforesaid upon their Oath

aforesaid do further present that the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper being Subjects of our said Lord the King not having the Fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the said first day of November in the fifty-seventh year of the Reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown did compass imagine invent devise and intend to deprive and depose our said Lord the King of and from the Style Honor and Kingly Name of the Imperial Crown of this Realm and the said last-mentioned Compassing Imagination Invention Device and Intention did then and there express utter and declare by divers overt Acts and Deeds hereinafter mentioned that is to say——*The Indictment then states the same fourteen overt Acts charged in the first Count.*

[*Third Count.*]—And the Jurors aforesaid upon their Oath aforesaid do further present That the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper being subjects of our said Lord the King not having the Fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject of our said Lord the King should and of right ought to bear towards our said Lord the King on the said second day of December in

the fifty-seventh year of the Reign aforesaid with Force and Arms at the said parish of St. James Clerkenwell in the said county of Middlesex together with a great Multitude of false Traitors whose Names are to the said Jurors unknown to the Number of Five Thousand and more arrayed and armed in a Warlike manner that is to say with Flags Banners and Ensigns Swords Pistols Clubs Bludgeons and other Weapons being then and there unlawfully maliciously and traitorously assembled and gathered together against our said Lord the King most wickedly maliciously and traitorously did levy and make War against our said Lord the King and being so assembled together arrayed and armed against our said Lord the King as aforesaid did then and there with great Force and Violence parade and march in an hostile manner through divers public Streets and Highways and did then and there maliciously and traitorously attempt and endeavour by Force and Arms to subvert and destroy the Government and Constitution of this Realm as by Law established and to deprive and depose our said Lord the King of and from the Style Honor and Kingly Name of the Imperial Crown of this Realm In contempt of our said Lord the King and his Laws to the evil Example of all others contrary to the Duty of the Allegiance of them the said Arthur Thistlewood James Watson the Elder James Watson the younger Thomas Preston and John Hooper against the form of the Statute in such Case made and provided and against the Peace of our said Lord the King his Crown and Dignity.

[*Fourth Count.*]—And the Jurors aforesaid upon their Oath aforesaid do further present That the said Arthur Thistlewood James Watson the elder James Watson the younger Thomas Preston and John Hooper being subjects of our said Lord the King not having the Fear of God in their Hearts nor weighing the Duty of their Allegiance but being moved and seduced by the Instigation of the Devil as false Traitors against our said Lord the King and wholly withdrawing the Love Obedience Fidelity and Allegiance which every true and faithful Subject

of our said Lord the King should and of right ought to bear towards our said Lord the King on the said first day of November in the fifty-seventh year of the reign aforesaid and on divers other Days and Times as well before as after with Force and Arms at the said parish of Saint James Clerkenwell in the said county of Middlesex maliciously and traitorously amongst themselves and together with divers other false Traitors whose Names are to the said Jurors unknown did compass imagine invent devise and intend to levy War against our said Lord the King within this Realm in order by Force and Constraint to compel him to change his Measures and Counsels and the said last-mentioned Compassing Imagination Invention Device and Intention did then and there express utter and declare by divers overt Acts and Deeds hereinafter mentioned that is to say—— *The Indictment then states the same fourteen Overt Acts charged in the first and second Counts.*

On Monday, the 5th of May, Mr. Litchfield, solicitor for the Treasury, delivered to each of the Prisoners a copy of the Indictment, a list of the Jurors returned by the Sheriff, and a list of the Witnesses to be produced by the Crown, for proving the said Indictment.

On Saturday, the 17th of May, Arthur Thistlewood, James Watson, the elder, Thomas Preston, and John Hooper, were brought from the Tower to the Court of King's Bench, under a writ of Habeas Corpora, and set to the Bar.

The return of the Marquis of Hastings, as Governor of the Tower, was read and filed.

The Prisoners were informed, that if they wished to have Counsel assigned to them, the Court would assign them upon their desire.

Each of the Prisoners prayed to have Counsel assigned, but requested two or three days for consideration, not having yet made up their minds. They were informed that they might

prefer their request either to the Court, or to a Judge at Chambers, who was authorized by the Act of Parliament, to assign them Counsel.

James Watson having requested to be informed, whether if Counsel were assigned to him he should be allowed to speak in his own defence, was informed by the Court, that he would not be restrained from addressing to the Jury what might be expedient.

The Prisoners were arraigned, and severally pleaded not guilty. They were then remanded, having been informed that their Trial would take place on the 9th of June.

At the request of the Prisoners, the following Gentlemen were assigned as their Counsel:

FOR

ARTHUR THISTLEWOOD,

Mr. WETHERELL and Mr. Serjeant COPLEY.

FOR

JAMES WATSON,

Mr. WETHERELL and Mr. Serjeant COPLEY.

FOR

THOMAS PRESTON,

Mr. E. LAWES and Mr. RIGBY.

FOR

JOHN HOOPER,

Mr. HOLT and Mr. STARKIE.

COURT OF KING'S BENCH,

Monday, 9th June, 1817.

PRESENT,

The Right Hon. Lord ELLENBOROUGH,
The Hon. Mr. Justice BAYLEY,
The Hon. Mr. Justice ABBOTT,
The Hon. Mr. Justice HOLROYD.

Counsel for the Crown.

Mr. ATTORNEY GENERAL,
Mr. SOLICITOR GENERAL,
Mr. TOPPING,
Mr. GURNEY,
Mr. RICHARDSON,
Mr. SHEPHERD.

Solicitor.

HENRY CHARLES LITCHFIELD, Esq. Solicitor for the affairs of His Majesty's Treasury.

Counsel for the Prisoner.

Mr. WETHERELL,
Mr. Serjeant COPLEY,

Solicitor.

Mr. JAMES HARMER, Hatton Garden.

The Court being opened, Arthur Thistlewood, James Watson, the elder, Thomas Preston, and John Hooper, were set to the Bar.

Mr. Attorney General. My Lord, my learned Friend, Mr. Wetherell, who is Counsel for some of the Prisoners, has intimated to me, that they intend to sever their challenges, in consequence of that, on the part of the Crown, I shall desire to have them tried separately.

Lord Ellenborough. That you have a right to do.

Mr. Attorney General. It is necessary that I should state to your Lordship, which of the Prisoners I shall bring to Trial first. Mr. James Watson the elder, is the Prisoner to be first tried. It may be important, in the course of

the Trial, that the other Prisoners should be in Court, for the purpose of being identified.

The Jurors returned by the Sheriff were called over, when the following were excused.

William Hughes, Truss-maker, on account of Illness.

Samuel Baxter, Esq. and Builder, on account of Illness.

William Winchester, Gentleman, on account of Illness.

Edward Wilson, Upholsterer, not having received the Summons, in consequence of Absence.

John Burnthwaite, Linen-draper, on account of Illness.

Francis Keysall, Cheesemonger, not having received the Summons.

Thomas Adcock Grindall, Distiller, on account of Illness.

Peter Bardin, Painter and Glazier, on account of Illness.

William Hale, Weaver, on account of Illness.

William Pryor, Leather-seller, on account of Illness.

Thomas Armitage, Esq. on account of Illness.

John Henry Wackerbarth, Esq. and Sugar-baker, on account of Illness.

Thomas Thornton, Senior, Gentleman, on account of Illness.

Thomas Buckland, Gentleman, on account of Illness.

William Jackson, Whitesmith, on account of Illness.

Thomas Morton, Esq. and Brewer, having pleaded his exemption as an Elder Brother of the Trinity House.

The List having been gone through, the Defaulters were called over.

John Franklin, Esq. fined £20.

William Bentham, Esq. and Conveyancer, fined £20.

James Catforth, Gentleman, excused on account of Absence from Home, his house being under repair.

Rudolph Ackerman, Printseller, fined £20.

John Mawe, Ship Owner, fined £20.

Robert Hall Westley, Bookseller, fined £20.

William Forsyth, Esq. fined £20.
John Smith, Undertaker, fined £20.
James Soames, Soap-maker, fined £20.
John Marshall, Esq. and Grocer, fined £20.
Robert Hill, Tobacconist, fined £20.
George Aust, Esq. fined £20.

The Jurors returned by the Sheriff and who had answered to their Names, were again called over.

Thomas Mitchelson, Surveyor, sworn.*
Thomas Allman, Bookseller, sworn.
Robert Durham, Carpenter, challenged by the Crown.
John Turner, Jeweller, challenged by the Prisoner.
Robert Norton, Button-maker, sworn.
Daniel Wilshea, Esq. and Gold-beater, pleaded an exemption as a Commissioner of the Property Tax. He was directed to stand by for the present.
Thomas Boot, Senior, Grocer, challenged by the Crown.
John Tomlinson, Woollen-draper, sworn.
Peter Richardson, Esq. and Lottery-office Keeper, sworn.
Samuel Edwards, Wine-merchant, not a Freeholder of the County of Middlesex to the amount of £10. a year.
Henry Underwood, Cutler, not a Freeholder, &c.
Charles Eady, Water-gilder, challenged by the Prisoner.
Thomas Hacker, Timber-merchant, challenged by the Crown.
George Allen, Brass-founder, challenged by the Prisoner.
Daniel Gardner, Hatter, challenged by the Crown.
Samuel Fish, Tobacconist, challenged by the Crown.
John Woodhead, Distiller, not a Freeholder, &c.
John Lane, Gentleman, challenged by the Prisoner.
Thomas Capper, Coal-merchant, not a Freeholder, &c.
Francis Wingrave, Bookseller, excused on account of Age.
John Bryant, Anchor-smith, sworn.

* Vide Page 32.

James Fraser, Biscuit-bak[illegible] challenged by the Prisoner.
Arthur French, Ironmonger, challenged by the Prisoner.
William Beckett, Esq. fined £20.
Peter Ludgate, Gentleman, excused on account of Illness.
John Doyle, Fan-light Manufacturer, sworn.*
William Bailey, Ironmonger, not a Freeholder, &c.
William Philpot, Linen-draper, challenged by the Crown.
Daniel Papperil, Tailor, challenged by the Prisoner.
John Rabbeth, Cheesemonger, challenged by the Prisoner.
William Baylis, Tin-man, challenged by the Prisoner.
Samuel Kell, Carpenter and Undertaker, sworn.
John Wilton, Boot-maker, not a Freeholder, &c.
John Dickson, Baker, challenged by the Crown.
James Clack, Gentleman, excused on account of Illness.
George Belles, Grocer, challenged by the Prisoner.
Robert Armstrong, Pawnbroker, not a Freeholder, &c.
Richard Ramsden, Capillaire-maker, sworn.
William Marsh, Dyer, excused on account of Deafness.
Joel Edwards, Tailor, challenged by the Crown.
William Phillips, Ironmonger, sworn.
Charles Parry, Linen-draper, not a Freeholder, &c.
Joseph Arden, Glassman, excused on account of Illness.
Christopher Scott, Tailor, challenged by the Crown.
Edward Helling, Painter, not a Freeholder, &c.
Thomas Bean, Butcher, not a Freeholder, &c.
Thomas Cordell, Gentleman, challenged by the Prisoner.
Charles Cox, Army Agent, excused on account of Age.
Thomas Wilkes Barker, Silversmith, sworn.
George Woodward, Turner, challenged by the Prisoner.
Richard Jaques, Auctioneer, excused on account of Deafness.
Thomas Rich, Hatter, not a Freeholder, &c.
Richard Flemming, Esq. and Surveyor, excused on account of Age.

* Vide Page 32.

John Christmas, Esq. and Painter, challenged by the Prisoner.

William Knight, Esq. not a Freeholder, &c.

Bowman Atkinson, Gentleman, not a Freeholder, &c.

James Heath, Engraver, fined £20.

Samuel Baker, Pork-butcher, challenged by the Prisoner.

Joseph Mail, Stone Mason, excused on account of Deafness.

William Thomas Miles, Grocer, not a Freeholder, &c.

Frederick Holbroke, Gentleman, fined £20.

John Parker, Woollen-draper, challenged by the Prisoner.

Henry Buckley, Floor-cloth Manufacturer, excused on account of illness.

Abraham Walker, Mercer, sworn*.

Mr. Mitchelson. My Lord, I am not a Freeholder; I was not asked the question: the question was not put to me.

Mr. Wetherell. I do not object to the Gentleman.

Lord Ellenborough. By the first of William and Mary, it is expressly provided that they ought to be Freeholders.

Mr. Doyle. I am in the same situation; I am not a Freeholder; I was not asked the question.

Lord Ellenborough. No, you were not.

Mr. Mitchelson and Mr. Doyle withdrew from the box.

William Robert Burgess, Oilman, challenged by the Prisoner.

Mr. Walker. My Lord, the question was not put to me; I am not a Freeholder.

Lord Ellenborough. You swear you are not a Freeholder?

Mr. Walker. I do.

Lord Ellenborough. You may withdraw.

James William Brooks, Glass-dealer, challenged by the Crown.

John Miers, Miniature-painter, not a Freeholder, &c.

William Dobson, Jeweller, not a Freeholder, &c.

James Halford, Navy Agent, not a Freeholder, &c.

Samuel Page, Builder, challenged by the Prisoner.

* Vide 11 lines lower down.

John Spicer, Brandy Merchant, not properly described in the panel.

Richard Miller, Tailor, not a Freeholder, &c.

James Little, Upholsterer, excused on account of ill health.

John Thompson, Esq. and Auctioneer, challenged by the Prisoner.

William Porden, Esq. and Architect, not a Freeholder, &c.

William Reynolds, Bookseller, not a Freeholder, &c.

James Rumble, Butcher, not a Freeholder, &c.

Nicholas Cade, Carpenter, excused on account of ill health.

Francis Hager, Grocer, excused, being one of the people called Quakers.

John Eaton, Brandy Merchant, not a Freeholder, &c.

John Heath, Esq. and Merchant, challenged by the Prisoner.

Charles Stoner, Gentleman, not a Freeholder, &c.

Richard Hosman Soly, Esq.

Mr. Solly. My Lord, I attend in consequence of having received a summons, but my name is not rightly spelt in the summons; it should be spelt with two l's, and the christian name should be Hors, instead of Hos.

Lord Ellenborough. Richard is right?

Mr. Solly. Yes.

Lord Ellenborough. The Horsman has the r left out?

Mr. Solly. Yes, my Lord.

Lord Ellenborough. And Solly has two l's?

Mr. Solly. Yes.

Lord Ellenborough. There is idem sonans:—there is no other person residing in that street, who has that name?

Mr. Solly. There is Mr. Soley, not in that street, but in the neighbourhood.

Lord Ellenborough. Not in Great Ormond Street?

Mr. Solly. No; I apprehend there is also another objection; that being called to the Bar, and continuing a Member of Lincoln's Inn, I am not eligible.

Mr. Justice Bayley. You do not practise, do you?

Mr. Solly. I am entitled to practise; I am able to practise.

Lord Ellenborough. Do you wear your gown, and come into Court?

Mr. Solly. Not often, my Lord, certainly; but I am entitled to do it.

Lord Ellenborough. I believe that merely being at the Bar will not do.

Mr. Solly. I understood, provided I kept my name on Lincoln's Inn, and consequently was entitled to practice, that was sufficient; but of course, your Lordships are the best judges of that.

Mr. Wetherell. I have no objection to Mr. Solly. Challenged by the Crown.

James Peak, Bricklayer, challenged by the Crown.

John Best, Gentleman and Coal Merchant, challenged by the Prisoner.

John Booth, Gentleman and Surveyor, challenged by the Prisoner.

Samuel Homer, Appraiser, challenged by the Crown.

Samuel Roberts, Victualler, challenged by the Crown.

Richard Perkins, Shoemaker, sworn.

Edward Powell, Grocer, challenged by the Prisoner.

Charles Baxter, Porkman, challenged by the Crown.

Henry Jackson, Boot and Shoemaker, challenged by the Prisoner.

William Sabine, Carpenter, not properly described in the panel.

John Pittard, Paper Manufacturer, challenged by the Crown.

Thomas Gable, Weaver, not a Freeholder, &c.

John Edger, Weaver, challenged by the Crown.

Evan Jones, Grocer, challenged by the Crown.

Robert Young, Esq. and Bricklayer, challenged by the Prisoner.

Joseph West, Grocer, not a Freeholder, &c.

Robert Conyers, Ironmonger, and Dealer in Marine Stores, challenged by the Crown.

Thomas Titterton, Coach-maker, challenged by the Crown.

William Hackblock, Currier, sworn.

Joseph Teale, Shoemaker, challenged by the Prisoner.

John Ham, Weaver, not a Freeholder, &c.

Samuel Knight Esq. and Druggist, sworn.

THE JURY.

Thomas Allman,	Richard Ramsden,
Robert Norton,	William Phillips,
John Tomlinson,	Thomas Wilkes Barker,
Peter Richardson,	Richard Perkins,
John Bryant,	William Hackblock,
Samuel Kell,	Samuel Knight.

The Jury were charged with the Prisoner in the usual form.

The Indictment was opened by Mr. Shepherd.

Mr. ATTORNEY GENERAL.

May it please your Lordships.

Gentlemen of the Jury.

Gentlemen, you are assembled in that Box to perform one of the most important functions that can devolve upon any men in a state of society, that of deciding upon the guilt or innocence of one of your fellow subjects, of the crime of High Treason, the highest crime that can be committed against society by man; because it strikes at the root of all society, and tends to the perfect disorganization of society, and to the destruction, the utter destruction of every comfort that can belong to man, under the administration of the Law. Gentlemen, on the one hand, you will, I am sure, be extremely desirous to protect the Constitution of the country, under which you live, against any treasonable or traitorous attempts that may be made to subvert it; and on the other side, *you will be equally desirous*, that when such a Charge

is made before you come to the conclusion of guilt, it should be made out by probable, by strong, and by convincing evidence. Gentlemen, I think when I shall have stated and proved the case that I have to lay before you, you cannot have any doubt, but that the Treason charged is proved, not only as laid in the first, second, third, or fourth Counts, but in truth, is proved as laid in each and in all.

Gentlemen, the charges that are made upon this indictment are four:—First, For compassing and imagining the death of the King: Secondly, For compassing and imagining to depose the King: Thirdly, For levying war: and Fourthly, For conspiring to levy war, for the purpose of compelling the King to change his measures.

Gentlemen, the first count and the third count are founded upon the statute of King Edward the Third, which in those days stated what should amount to High Treason: the second and the fourth counts are founded upon a later statute, the 36 of the present King, cap. 7, which, though it has enactments peculiar to itself, and different in terms from the statute of Edward 3, yet does not in my mind very materially alter the Law of Treason, except in one respect, because there is nothing, as it appears to me, stated in that statute of the 36 of the King, as far as relates to this case, which, though stated as Treason—as Substantive Treason, would not, if committed, have been an overt act, manifesting such Treasons as are stated in the statute of Edward the Third.

Gentlemen, I will state to you very shortly the enactments of the statute of Edward 3, the 25 of Edward 3, cap. 2, which describes Treason, I mean, as far as it relates to this question, not taking up their Lordship's time or yours, by referring to the other parts of the statute "when a man doth compass or imagine the death of our Lord the King, or of our Lady his Queen, or of their eldest son and heir; or if a man do levy war against our Lord the

King in his realm, or be adherent to the King's enemies in his realm, giving them aid and comfort in the realm or elsewhere, and thereof be probably attainted of open deed."

Mr. Wetherell. Provably attainted.

Mr. Attorney General. Does my learned friend think that I am making any distinction between probably and provably? or that I am asking you to decide upon the guilt or innocence of men on mere probability? God forbid! Gentlemen, I will take the word as he states it—provably, that is to say this, if a man do compass and imagine the death of the King, and he has manifested that compassing and imagination by overt acts, proved by such evidence as the Law of England requires for proof, then he is guilty of High Treason.

Gentlemen, the Treason described therefore in this statute, in the first branch, is the compassing and imagining the death of the King—compassing does not mean, as in the ordinary and common acceptation of the term effecting; we sometimes say, I compass such an object, but this means intending and imagining—having the intention in the mind of the death of the King, and then, by overt acts, taking means to carry into effect that intention and imagination of the mind.

Gentlemen, that the levying war, or the actual endeavouring, by force of arms, to subvert the Government and Constitution of the country, is an overt act to manifest the compassing the death of the King; I will undertake to state this—it is impossible for any one to deny; for whether the person who does that, has in his mind the contemplation of the actual death of the person, who fills the sacred character of Sovereign of the country, or not, if his purpose and his object be to subvert and destroy the Constitution of the country of which the King is Sovereign; the necessary or the natural consequences which must necessarily arise, from that of thereby destroying the

King, amounts, in the eye of the Law and in the eye of common sense, to a compassing and imagining his death, for though without considering or contemplating the actual natural death, (when I say natural death, I mean by violent means) but the actual death of the King, so as to be Treason in that point of view, against the actual person by way of assassination, still it is Treason, as against his Majesty the King, as the Sovereign of the realm, and if the object be that of subverting the Law and the Constitution of the country, and manifested by overt acts, those overt acts are overt acts manifesting the compassing the death, inasmuch as they are the means taken to effectuate that object.

Gentlemen, in this point of view acts may be done, which would not amount to that second substantive Treason, the levying war, for instance, if men conspire and consult together to levy war, however it was made out that they had conspired and consulted together so to do, that would not amount to that second branch of Treason, the actual levying war, but still the conspiring and the consulting to levy war would be an overt act—an open deed, one of the means, whereby they would intend to effectuate the object of the death of the King.

Gentlemen, the first count therefore of the indictment puts this charge as amounting to Treason, in compassing the death of the King, and it then states a great variety of overt acts, every one of which, and I might say, any one of which, if made out to have been done with the object, and for the purpose of subverting the Constitution of the country, and thereby dethroning (for it must amount to that) the King, would be each of them an overt act, which would make out the charge; but though each of those overt acts, if standing simply by itself, would be such an overt act, yet standing simply and singly by itself, and *alone perhaps*, it might be more difficult to draw the con-

clusion, that those acts were done with that object, but when they are taken and combined together, as giving you, upon this record, the history of the conduct of this Defendant; which will be detailed to you by the witnesses, in a way, of the truth of which you cannot doubt, then it will appear, that here has been a constant series of progressive acts and transactions ultimately to effectuate that purpose, and that all those previous acts and consultations at last led to the ultimate act of levying war, for the purpose of effectuating their objects: for you will observe, that upon this indictment the overt acts that are charged are these; consulting to devise plans and means to subvert the Constitution and depose the King; consulting to levy war and subvert the Constitution; these, though acts, are acts of consultation and conspiracy—conspiring, that is, agreeing together to attack the Bank, and further conspiring to seduce Soldiers and others, ordering pike heads, arms, that is to say, providing arms and ammunition, conspiring to burn the King's Barracks, for the purpose, as it will appear to you, of destroying the Soldiers, who were the inhabitants of those barracks, in order to prevent any resistance from the King's forces in their war, when it should ultimately break out; hiring a house for the purpose of depositing combustibles for that purpose.

Then comes the next act of conspiring to procure meetings in Spa Fields. Gentlemen, I will here make an observation, though it will present itself perhaps, when I come to detail that part of the case, conspiring to procure those meetings, not for the purpose which was given out to many of those who met—not for the purpose of exercising that right, which the subjects of this country, within the limits of the law, may exercise, the right of petitioning his Majesty, or both, or either House of Parliament, for the redress of any grievances, under which they actually laboured, or which they supposed they laboured under: No—getting them together with that apparent purpose, in order that, when so met and assembled toge-

ther, they might convert their passions; that is to say, the passions of those got together, into the instruments of their nefarious practices, and turn that which professed only to be a peaceable meeting, for the purpose of petitioning the King, into an assembly of armed men, for the purpose of levying war against him.

Gentlemen, the other acts that are stated, of treating for the hire of waggons and stages, standing singly and simply by themselves, and unconnected with any thing else, are acts of perfect innocence; but when done for the express purpose of ultimately producing the object, which they broke out into actual force and hostile force to produce, then they become overt acts, and means by them used for the purpose of effecting the Treason charged; namely, compassing the death of the King; parading the streets in an hostile manner; attacking Gunsmith's shops, for the express purpose of providing themselves, and those who should join them, with arms, to carry on their war against the King and Constitution of the country; addressing the Soldiers in the Tower, in order to induce the Soldiers to open the gates of the Tower to them, that they might become the masters of it, and to induce the Soldiers to join with them in the rebellion they were at that time exercising against the King and the Constitution of the country, are charged as overt acts, manifesting a compassing of the King's death, that is manifesting their object of levying war against the King.

Gentlemen, the second count which is founded upon the statute is, that of compassing and imagining to depose the King: now, in truth, though charged in a different way, it comes to pretty much the same thing; because those, as I have stated to you, who compass and imagine to depose the King from his government as Sovereign of the realm, beyond all doubt compass and imagine his death.

The third count of levying war is, I might almost say, simple, as an act in itself—it is the very Treason described

by that branch of the statute which I have read to you, of levying war against the King. Then what is levying war against the King? Men assembling themselves together with multitudes in a hostile manner, for the purpose of procuring, by force of arms, any general object which those persons so assembled have in view, has been decided to be levying war. Insurrections to pull down prisons; insurrections to pull down meeting houses; insurrections even to pull down brothels—all those insurrections which have a general purpose, which take place, and are acted upon as hostile to the general law of the country, are levying war. But in this case it will not be necessary for me, or for any other person, to be asking or to be questioning, whether these persons had any particular private object in view; because it will appear beyond all doubt, that their object was revolution, subverting the government of the country, and introducing disorder and confusion, for the express purpose of that subversion.

Gentlemen, the prisoner at the bar, for there is only one prisoner at the bar, the privilege which the prisoners have of severing in their challenges makes it necessary to try them one by one, and therefore only one of the prisoners is now upon his trial; but though one prisoner only is now upon his trial, yet the charge is against him for conspiring, together with certain other persons, named in the indictment, and with other persons also to the Jurors unknown, in this transaction, which is the subject matter of the charge; and, therefore, though Mr. James Watson, the Elder, is the only person on trial at present, yet once connecting him, which I shall do with the other persons who are charged in the indictment, their conduct also will be subject matter of enquiry before you, not for the purpose, by your verdict of pronouncing upon their guilt or innocence, as subjecting them at all to punishment, but will be subject matter of enquiry before you, because if Watson was engaged with them after that

engagement and conspiracy took place, their acts are his acts, just as much as if they were committed by himself.

Now Gentlemen, I will tell you what I mean by that very shortly. If men are charged with conspiring together who have a plan to carry into effect, and which it is their object to accomplish, that might be done, and generally is done, by each person taking some part in the course of the transaction, whether settled immediately before or not; that is to say, some performing one part of the operation which is ultimately to accomplish the object, another taking another part, and so on; but if they are all in connexion and conspiracy together, to effectuate the definite object intended, the act of each becomes the act of all, and the act of Mr. Thistlewood, or any other of the persons charged on this Indictment, if you believe from the evidence that Watson was conspiring with them for the purpose, is precisely the same evidence against Watson, as if Watson himself had committed that act.

Gentlemen, if, in a Conspiracy, or in an actual levying of war, or in a Conspiracy to depose the King, the object were to take the Tower of London.—I take that for an instance rather than as a specific fact for the present moment; but, after that conspiracy is so made out, or if even in the very transactions which take place, the conspiracy is the necessary inference from the acts—If one comes from the north and the other from the south; if one has been doing something towards effectuating the object one day, and another has been doing something to effectuate the object on another day, yet still that done by one is precisely the same as far as relates to the other, as if it were done by himself, because all those acts are done with the assent, and with the knowledge, and with the conspiring mind of each; that is, when once their minds are agreed together, their separate acts are still considered as the acts of one conspiring mind, of this there can be no doubt, nor is it a position, I think, which will be contested by my learned friend on the other side.

Gentlemen, having stated this to you, I will now, as shortly as I can, state to you the detail of these transactions, and though, perhaps, in the course of proof, I shall not exactly pursue the same course in the giving the evidence of the transactions, as I am about to do in the statement, yet it will make this case much clearer and more intelligible, and I do assure you, as far as relates to myself, I have no object upon earth but to endeavour to make it clear and intelligible to your minds.

It will make it more clear and intelligible, if I begin with the transaction as far back as I am furnished with information upon the subject, and detail it to you as shortly as I can, (making it intelligible) down to what I call its ultimate completion, when I say its completion, I do not mean the completion of the object intended by them, but the completion of all the acts they performed, down to the period of the actual insurrection, and war made by them.

Gentlemen, The persons who are charged upon the Indictment are a person of the name of Arthur Thistlewood, James Watson, the elder, the prisoner at the bar,—a person of the name of Thomas Preston, another person of the name of John Hooper, together with a person of the name of James Watson, the son of the present prisoner, Mr. James Watson, the elder.

Gentlemen, I would state to you where these different persons, as far as we have information upon the subject, lived at the different periods whilst this transaction was going on. Mr. Watson, the elder, the prisoner at the bar, lived a great part of the time, at least for a considerable portion of the time, about which I shall have to state transactions in Hyde Street, Bloomsbury,—he lived there for some time, but on the 25th of November, it seems he took a lodging at No. 1. in Dean Street, Fetter Lane. I am not sure whether the persons in Hyde Street, Bloomsbury, where he lived, knew that he had quitted his lodgings or not, but he certainly did not, after the

25th of November appear at his lodgings in Hyde Street, Bloomsbury, but took lodgings at No. 1, Dean Street, Fetter Lane. During the whole course of the transaction, Mr. Thistlewood lodged in Southampton Buildings, Chancery Lane. With respect to another person charged in this Indictment, the person of the name of Preston, he had a little before Michaelmas, hired a house in Greystoke Place, Fetter Lane, which is not very far distant from Dean Street, Fetter Lane. When I say he had hired a house in Greystoke Place, Fetter Lane, I ought to correct myself, for Mr. Watson, the prisoner had hired that house in Greystoke Place, of a person of the name of Wood, who was the landlord of that house, in the month of September, —that house was at first taken by Mr. Watson, as a weekly tenant, till Michaelmas, and afterwards it was to be taken by him as a yearly tenant; he did not live there himself, but No. 9. Greystoke Place, was the place of the residence of Preston, one of the other persons charged in this Indictment, and it was also the place to which references were made for another person charged in this Indictment, of the name of Hooper. There it seems there was a room which was sometimes shewn or spoken of as Hooper's room, though it was not a room furnished, and where Hooper actually lived I am not able to inform you, so that Watson was resident up to the 25th of November, in Hyde Street, Bloomsbury; from that time till the second of December he resided in Dean Street, Fetter Lane,—during the whole of that time Thistlewood resided in Southampton Buildings, and Preston in Greystoke Place.

Gentlemen, Greystoke Place will be a most important place to attend to, for it appears to be there that the greatest part of the consultations were carried on,—where the means of carrying into effect their plan, were, I will not say originally devised, but where they met for the purposes of consultation, and the head quarters of this conspiracy,

Gentlemen, in the month of October, a person whom I shall call to you as a witness in the course of this ause, first became acquainted with Mr. James Watson and Mr. Preston; he had known Hooper previous to that time, the person to whom I am alluding, a witness of the name of Castle had been a frequenter of a Society which exists or did exist, rather, in this town called the Society of Spenceans, of which many persons are actual members, but the doors of that Society are open, I believe, to persons not actually members who may chuse or not chuse afterwards to become members of that Society. It was at one of those Societies held at the sign of the Cock, in Grafton Street, Soho, that the witness Castle first became acquainted with Mr. Watson, the elder, and with Preston; he had known Hooper some time before.

Gentlemen, it is not necessary for me, nor do I mean to enter into a discussion and investigation of the principles of that Society, but inasmuch as those principles have been alluded to by Mr. Watson, in the course of the transaction. I will just state to you what one of them is: It is that all exclusive possession of land is unjust; that no man ought to be a private proprietor of land, but that it ought to be in common, as it were for the public. I will enter into no discussion of the folly or absurdity of such a principle, which is absolutely destructive of every right of property, and must go to the annihilation of every comfort. Gentlemen, the notion that fund-holders have no right to the funds in their names, is another principle of this Society.

At one of the meetings of this Society, the witness became acquainted with Watson and Preston, in the month of October. After they had become so acquainted, Watson and the witness Castle, met by appointment on the next evening at another place, where this Society of Spenceans also met; namely, at the Mulberry Tree, which is somewhere in the neighbourhood of Moorfields; for there are

different houses in different quarters of the town, at which these Societies at that time met, and at which those doctrines were inculcated. Gentlemen, at the Mulberry Tree the witness first saw Mr. Thistlewood,—him he did not know before,—having met Thistlewood, or seen Thistlewood and Watson first at the Cock, in Grafton Street, and afterwards at this house in Moorfields, an intimacy commenced between them; Watson and Castle walked from this Society; Watson began sounding the witness on the subject of his principles, and his political notions; and in the course of that conversation, as will certainly be proved to you, talked to him on the subject of the subversion of the Government of the Country, and how easy it would be in this country to procure that subversion, if the matter were well managed, and well conducted, even by a few in the outset.

Gentlemen, in consequence of this conversation, Watson asking the witness Castle where he lived, Castle gave him his address, which was, I think, somewhere in the neighbourhood of Gray's-Inn-Lane; however, wherever it was, he gave Watson his direction. Shortly after, about the 26th of October, Watson called upon him at his lodgings, and there entered into conversation, and explained to him the object which he had in view, namely, that of endeavouring to collect numbers of persons together, stating the distresses of the times, and of the lower orders of mechanics, and so on;—of collecting a number of persons together, and that the object and the design was, to subvert the Constitution of the Country; and, I believe, throwing out at the same time, that the object was to carry into effect that plan, of the equal division of the land; and, Gentlemen, at that time, the conversation was so directly on the subject of open war and rebellion, that Mr. Watson produced to the witness a sort of drawing of a machine which would enable them to act against cavalry,—and also a plan of the Tower of London.

Now, Gentlemen, to step a little out of the order I intended, let me here state a most important fact. After the second of December, and when it was discovered where Watson had lived, his lodgings were searched, and in those lodgings were found two papers, one of which is a plan of the Tower. I do not mean a plan well drawn, but still a plan of the Tower; and the other, beyond all doubt, a drawing of an instrument, which I believe is called a cat; that is an instrument with points and spikes, which if thrown down in the streets, would certainly disable cavalry from advancing and acting: and these two things, that is, the plan of the Tower, and the machine to act against cavalry, were described and shewn by Watson to the witness; and long afterwards were two papers, a plan of the Tower, and a plan of such a machine, actually found in the place in which Watson had been living.

Gentlemen, in that conversation, the witness expressed a doubt how far they would be able to carry their object into effect, on the subject of money and finances; but Watson stated that they should have plenty of money for that purpose.

Gentlemen, in the evening of that day, the same conversation was renewed between the Witness, and Watson, and Preston, and the declaration was at that time made, that nothing but a revolution could relieve the lower classes of society from the state and situation in which they were; from that day, for a considerable period of time, there were almost daily meetings between Watson and the Witness, and between the Witness, and Thistlewood, and Preston, and Hooper, though not always all together, but sometimes all together, and sometimes separate: a conversation between all and each of them, when together and separate, respecting the means and mode by which this plan could best be ultimately effected, of bringing about a revolution. In one of the conversations, *Watson stated* to the witness Castle, that

when they should be able to use and organize their force, he was to be one of their generals. I think Thistlewood was the first, he was to be the commander of the whole, but Castle was to be one of their generals.

One part of the plan, as it is charged in the Indictment at that time, (though that part of the plan appears to have been afterwards relinquished,) was, to prevent the soldiers from acting when their insurrection should take place, and to prevent it, if possible, by destroying some of the barracks, whilst the soldiers should be in those barracks. Now, Gentlemen, let this always be recollected,—a scheme of this sort is not to be tried according to the wisdom with which it is devised, however stupid it might be for any man to devise, (for God knows, wicked it is beyond all measure,) but however absurd it might be for men to conceive that they could, in a moment, at least in a short time carry into effect such a purpose, yet, sometimes the impulse of wickedness is so great, that the absurdity of the scheme is by no means an argument against the probability of its having been devised and attempted to be carried into execution: and, Gentlemen, for the purpose of ascertaining how this scheme of destruction of the barracks should be carried on, Watson and the witness Castle went to the barracks in King Street and in Portman Square. They went also to view the Magazine, in Hyde Park, in order to ascertain in what way when matters should be ripe, it would be best that the Magazine in Hyde Park should be secured, and the best way of attacking the barracks.

Gentlemen, at this time, though the witness had seen Mr. Thistlewood once, yet he had not been actually introduced to him: the journey I have stated to you, taken by the witness and Watson into Hyde Park, for the purpose of viewing the barracks, was previous to any actual conference with Thistlewood on the subject. On the next day he was introduced to Mr. Thistlewood; when he was introduced to Thistlewood, *and in the presence* of Watson also, there was a consultation

upon the subject of procuring pikes, or rather, pike-heads—the heads to be put upon the pikes; and it was agreed, or rather proposed to the witness, who happened to be a blacksmith, that he should make those pikes: it was necessary however, that the pikes should be made at the house of some other person than the witness, for I believe he was only a journeyman blacksmith, and had not the means himself—it was necessary they should be made at the house of some other person, but it was agreed, either at that time, or a subsequent time, that the pikes should be ordered.

Gentlemen, in the intermediate time, before the pikes were ordered, Thistlewood and the witness went to a great many public houses, to Paddington, and to other places, wherever they found that there were persons either out of employment, or indeed I may say a great many in employment, for the purpose of sounding them about their inclinations on the distresses of the lower orders, and to endeavour to persuade them that the distresses were so great, that unless some steps were taken (not telling them the steps they proposed to take) but that unless some steps were taken, it would be impossible that the country should go on.

Gentlemen, the prisoner and the other persons charged, reporting from time to time what each other had been doing, to carry this conspiracy into effect, amongst other places Watson directed the witness to go and sound, as he called it, the Navigators at Paddington. You know there is a canal, the Regent's Canal, cutting at Paddington, and the persons working on that canal are called Navigators; they are cutters of the navigation, men who, from their strength of body, and the mode and manner of their employment, would, if their minds were wicked enough to enter into such a conspiracy, be certainly the most active and zealous partizans in the carrying it into effect. These men were to be sounded on the subject of their principles, in order to persuade them that the *state of things* was such that it ought

not to last, and in short he was to feel his way amongst them, to see what effect his conversation had upon their minds, so as to rouse them to discontent and dissatisfaction.

Gentlemen, shortly after this, having, as I tell you, been thus employed, he went again to the Cock at Grafton-street, with Watson, Thistlewood, and Preston, and then he actually becomes a member of one of those societies, of which he had only been a frequenter before, namely, a Spencean Society; and when he became a member of that Society, Watson was the person who paid for his admission. I believe he had not money to pay for it himself, but that is not material. Shortly after, about the 31st of October, he for the first time was introduced to No. 9, in Greystoke-place, for his previous meetings with Watson and Thistlewood had been at the Cock in Grafton-street, at the Mulberry Tree, or at the houses where they had met at different times, in order to report progress, if I may use the phrase, towards the conjuring up the case, in fact, to carry into effect their plan.

Gentlemen, when he came to Greystoke-place, he was then told by Watson, that he had been made a member of their Committee: he had heard nothing before of their having any committee. Whether they had any committee previously I do not know, but they did not communicate it to him, till they thought him perfectly friendly to their purposes; they told him he was a member of their committee; that committee was to consist of six; there was a person who was at that time materially connected, and I may say implicated, in this business, a man of the name of Harrison, who, before they came into the ultimate attempt to complete their object, certainly for some reason or other, I believe from some disputes he had with the younger Watson, or from repenting, quitted their designs, but the committee was to consist of six, Watson senior, Watson junior, Thistlewood, Preston, Harrison, and the witness Castle; at that time Hooper,

was not one of the Committee, therefore the committee was to be six. It was then considered what were the means by which his Majesty's forces were to be prevented from resisting their insurrection, particularly the cavalry, for their statement was, that they had no great apprehension of the foot soldiers, venturing to say, that in which I believe there was not one word of truth, that they should find some of his Majesty's troops who would join them in the purpose. I do not believe it. Whether there may be to be found in his Majesty's troops, as there are in the best classes of mankind, some one or two men who are a disgrace to that profession to which they may belong, which in the best and most honourable stations and professions of life, may sometimes be found, I will not undertake to say. I do not believe there was ever a more false statement than that, that any of his Majesty's troops would have joined them, or would not have resisted any attempts made by them; however, the cavalry was the principal object of their fear, and therefore the cavalry barracks were to be fired. Now here, Gentlemen, I will go a little out of the order of time, for the purpose of stating a very strong and peculiar circumstance. Some of his Majesty's barracks are in Portman-street; a consultation took place upon what would be the best mode to fire those barracks. Mr. Watson was a medical man, and a chymist; he was supposed to be acquainted with the nature of combustible materials; he was desired to calculate the expence of a sufficient quantity of combustibles, with which those barracks, particularly those in Portman-street, were to be fired, and for the purpose of filling the entrances of them: and one of those conspirators stated the nature of that material to be such, that it would soon put an end not only to the barracks, but to the soldiers there, for that they would be stifled, before the fire reached them.

The next question was, how were those combustibles to be deposited in the *neighbourhood*, so as to be ready to be

produced at the barracks, when the time should serve to do this. Why, they were to look about for some house to be let, and it was to be taken under the pretence of being an oil shop; for combustible materials deposited in a house taken for an oil shop, would afford no suspicion, because every body knows that an oilman deals in those articles, such as pitch, tar, rosin, and other such materials. A house was found empty in Seymour-place; enquiries were made of the person who kept that house for the owner, about the rent, and about the house: They were referred to Mr. Cosser, the owner of the house, who is a respectable timber merchant, living in Milbank-street, in this neighbourhood. The witness was sent to Mr. Cosser for the express purpose of taking this house. Mr. Cosser had no notion for what purpose this house was to be taken; but persons had enquired about his house, and enquiring on the subject of who was to take the house, which I think was to be Watson, the son of the prisoner, he was referred for his character to Thistlewood, in Southampton Buildings. To Thistlewood in Southampton Buildings he went; but Mr. Cosser found that Mr. Thistlewood was only a lodger in Southampton Buildings, and knowing nothing of the parties, or the sufficiency of those who had applied to him, Mr. Cosser refused to let them the house; and in consequence of that the house was not taken.

Gentlemen, this scheme, the firing of the barracks, was afterwards abandoned, and I believe it was abandoned for this, among other reasons, but principally because Harrison, who had been a member of the committee about this time, had a dispute with Mr. Watson's son, with the younger Watson, he was alarmed and frightened (at least so he stated) with the measures they were about to take, he quitted the committee, and said he would belong to it no more. They were afraid that Harrison probably would impeach them, but *he did not*; but for fear that should be the case, and any

disclosure might take place, the plan and the scheme of firing the barracks was given up and abandoned at that time.

Gentlemen, while this scheme was going on, on the subject of the Barracks they agreed, that they should have pike-heads; the witness was sent to a person of the name of Bentley, a smith, for the purpose of procuring a pattern pike, and of enquiring the price of them. Now, if the man had told any blacksmith that he wanted a certain number of pikes, certainly the person to whom that was said might have strong suspicions that there might be something improper to be done with them, but they were ordered to be such pikes and heads as are used to rabbit warrens, and to rails and parks; in short, that sort of thing which any person might order from a blacksmith, without his suspecting any thing more than that they were to be put up as a fence, or on a wall. The witness went to Bentley, and Bentley made him a pattern pike, that is, one of those pattern pikes, which, in itself, if you were told, it was made for a wall or a fence, might raise no suspicion in your minds, but you will see when it comes to be produced, that that instrument fixed, as it must necessarily have been upon a handle, would be a most dreadful instrument of death, ah! and a very available weapon of war also.

Gentlemen, the pattern was brought by him, and shewn to Thistlewood and Watson, and others, and he was directed to go back and order 250 of those pikes. 250 pikes were afterwards made; Thistlewood gave him a One pound note in advance, which he was to give to Bentley, for those 250 pikes, and the witness went to Bentley, and gave him not the One pound note, but Ten shillings in advance. The remainder of the money was to be paid when the pikes should be finished. Gentlemen, a short time after that the pikes were made, the pikes were fetched away from Bentley's by the witness, and the younger Watson, in two nail bags, which were purchased by *young Watson*, and they were carried

to Hyde Street, where Mr. Watson, at that time lived; because this was long previous to the 25th of November, and Mr. Watson did not leave Hyde Street, and go to Dean Street, till about the 25th of November.

Gentlemen, what became of those pikes, afterwards the witness did not know, but I shall prove to you a most extraordinary corroborative fact, for I shall shew you, that in consequence of every search being attempted to be made after this disclosure, as to what could have become of those pikes, the privy belonging to the house in Hyde Street, Bloomsbury, to which the pikes were carried, was emptied and searched, and in that privy were 199 pike heads out of the 250 that had been ordered and carried there, by Watson's directions.

Gentlemen, at different times, for I will not detail to you every minute circumstance and conversation that took place at the different times these persons met, it was agreed, that Thistlewood should have the chief command, as he was the person who furnished all such money as was necessary for the carrying on this transaction. Mr. Watson, the prisoner, was to be the second in command; Harrison, at that time, before he quitted, was to be the third; the witness was to be fourth; young Watson the fifth, and Preston, the last in command; and the reason given was, because he is lame, which is the case.

Gentlemen, at that period of time it was intended, that something like insurrection should take place on the 10th of November; but Harrison quarrelling with them about that time, and the plan to burn the barracks being at that time given up, it was agreed, that it should not take place on the 10th of November; and then it was that the idea was first suggested of a meeting in Spa Fields, or some other place—Spa Fields was not at that moment agreed on, but for the purpose of congregating together a number of persons, and *hoping to* have a number of those whom they had been

tempting and sounding, as they called it, and filling with notions and suggestions, that without revolution, or without some great change, it was impossible society could go on.

Gentlemen, I have a most material and important fact to state to you here, that about that time a Committee of Public Safety was named; let me do the gentlemen, whose names are to be found in that Committee of Public Safety, the justice to say what I believe, that there was not any one of them who knew any thing of these plans which I have been detailing, or who had the smallest conception, that their names had ever been put down to act as a Committee of Public Safety: I do not believe they knew any thing of the matter; but a Committee of Public Safety was to be formed, and they were named. Gentlemen, when Mr. Watson was taken after the 2d of December, there were certain papers taken in his pocket—there was a list of the Committee of Public Safety found in his pocket amongst the papers taken from him on the 2d of December—Committee P. S. I read the names upon the Committee, not for the purpose of having it understood, that a single individual there knew any thing at all about the matter—" Committee P. S. Sir Francis Burdett, Lord Cochrane, Mr. A. Thistlewood," that is one of the prisoners, " Mr. J. Watson," I presume, the prisoner at the bar——

Mr. Wetherell. The Jury are taking down all these statements as true—I do not know whether the Jury are taking down all these as facts proved.

Lord Ellenborough. How can we know what the Jury are taking down?—they are taking them down as I have been taking them down, not as facts proved, but by way of illustration of the case.

A Juryman. Not as evidence, certainly, my Lord.

Mr. Justice Bayley. They will compare them by-and-bye, with the evidence.

Mr. Attorney General. Gentlemen, I am sure you have attended too often on Juries, to take statements for proofs.

A Juryman. It is only for my own information that I take what I am doing, my lord.

Lord Ellenborough. I was sure it was so, gentlemen.

Mr. Attorney General. Gentlemen, I am stating that which I believe I shall prove, or if I did not believe I should prove it I would not state it—it is impossible for a counsel to be responsible, that that which he states shall actually be proved; but I should be unworthy the station I have the honour to hold, if I stated any thing to you, which I did not think I should prove by the witnesses I shall call. Gentlemen, I say, in the pocket of Mr. James Watson was found a paper, of which I have the original, and which now I am merely reading—it is to form the committee, "Committee P. S. Sir Francis Burdett, Lord Cochrane, Mr. A. Thistlewood, Mr. James Watson, Mr. Gale Jones, Major Cartwright, Mr. T. Evans, H. Hunt, Esq. Mr. Hardy, R. O'Connor, and Mr. Blandford."

Gentlemen, I have stated to you, that the witness will prove, that at this time the Committee of Public Safety was named; whether the witness knows, or can recollect the names of any or all of them I do not know; I think it is very likely he does not, but that a Committee of Public Safety was named, will be proved,—and it will be proved, that at a subsequent period, the paper I have read to you was found in Mr. Watson's pocket. I believe, Gentlemen, that it will appear, that of the Committee first named, whoever they were, at different times, and at different consultations, before the period of this explosion, if I may so call it, had taken place, some of the names were changed; but the important circumstance I have to state to you is, that a Committee of Public Safety was agreed to be named, and that in the pocket of the prisoner James Watson, when taken, a paper was found, with names for the Committee of Public Safety,

Gentlemen, shortly after this, or somewhere about that time, it was agreed that a meeting should be called in Spa Fields, and the project was, at first, that at that meeting in Spa Fields they should burst out into an actual insurrection, which did certainly not at that time take place. That they were the persons who called that meeting,—that they were the only persons who originally thought of calling such a meeting, will, I believe, be perfectly proved to you; the name of a person of the name of Dyall, was put to the advertisement to call that meeting; he had been at some previous meeting, but his name was put to the paper; he not being there at the time, though he afterwards gave his assent, his name having been used, and that advertisement was published by Watson, or some of these parties. As far as relates to that advertisement, to call that first Spa Fields meeting, I do not mean to say that there is any thing which imports upon the face of it treasonable purposes,—certainly not; it professes to be a meeting of the manufacturers and mechanics in a situation of distress, for the purpose of applying to His Royal Highness the Prince Regent to adopt some measures for the relief of their distresses; and, upon the face of that paper, I should make no observation standing by itself: but that which I have stated is this, that having conceived the nefarious plan of revolt and revolution, they have published a paper, marked upon the face of it with the highest degree of criminality in the world, to assemble the poor and the distressed, and those whose passions are in consequence of their distress, likely to be worked upon by that which they were told, might alleviate their distress: the people, called with the voice of innocence, in order to be converted into the instruments of guilt,—I do say, that the language of that first hand-bill is, in my opinion, worse than if it had professed upon the face of it something seditious; for there are many poor and unfortunate men who would go to a meeting, where it was held out to them

that something would be proposed to alleviate their distresses, who, if they were warned of the bad purposes of those who called it, would say, no, I will not go, for feeble nature is too feeble to trust itself upon such a subject; and I do state that there is nothing more wicked in my opinion, than calling the lower orders together, concealing from them what your real objects are, and professing to hold out only those which are beneficial, I cannot help thinking, that in point of moral guilt against the happiness of men, and of justice due to our fellow creatures, there cannot be a higher crime in point of moral guilt, than that of telling a man that you call him and others together for one purpose, when you mean to apply and to use him for another object, taking a wicked advantage of the infirmities of human nature, as no man can answer for himself, if he comes under the pressure of distress and of necessity.

Gentlemen, that meeting was called. It was originally intended that there should be some explosion there, but it was necessary that they should apply to some person (as they thought) for the purpose of taking the lead at that meeting. I do not mean the lead on to revolt and rebellion, but the lead as being the spokesman of the meeting, and in consequence of that they applied to a person of the name of Hunt, who lives in the country. I do not believe they explained to Mr. Hunt any thing like their ultimate object. They wrote to him, that there was to be a meeting of artizans and of mechanics, and they desired that he would attend that meeting; and he so far at least as it was reported by Mr. Watson himself said, that they must be peaceable at that meeting, and that there must be no disorder; and I believe, that finding their schemes were not ripe at that time to be effected, and the necessity of being peaceable having been stated to them by Mr. Hunt, when they went to the meeting on that day, it was not intended that at that meeting there should be a breaking out into insurrection.

Gentlemen, as to the particulars that took place at that meeting, I will not describe them; they will be described by the witnesses—inflammatory enough. There were speeches there sufficient to rouse the poor and the distressed, but nothing to urge them on to present acts of violence. After that meeting they all went to dine together in Bouverie-street, where Mr. Hunt had put up. I mention these circumstances to shew you, that I shall prove that this defendant and the others charged, were acting in concert together on the subject of this meeting: with what view and what purpose, is to be proved by other circumstances; but that they were all acting in concert together at that meeting. A proposal had been made that they should adjourn it till after the Parliament met, in order that they might present their petition, or that their petition might come as a subject matter of consideration before Parliament, when it should meet, which was not to be till the month of January. Young Watson objected to that long postponement of the second meeting, and moved that instead of waiting till after Parliament had met, a meeting should take place on the second of December, which from the fifteenth of November would be seventeen days.

Gentlemen, it was agreed, that there should be a meeting on the 2nd of December, and now I will proceed to the intermediate transactions between that meeting on the fifteenth of November, and the meeting on the second of December. I should tell you, that to that meeting on the fifteenth of November, they went with a tri-coloured flag, with an inscription upon it, God knows, inflammatory enough, looking at it in one point of view, the inscription upon that flag was, "Nature to feed the Hungry—Truth to protect the Oppressed—Justice to punish Offenders."—Of the nature and the intention of this address, I will leave you Gentlemen to judge.

Gentlemen, between that 15th of November and the 2nd of December, each and all of those persons were industriously employed in going about to different public houses,—in going to where the Smiths were at work,—in going about to public houses in the neighbourhood of the Theatres Royal, to which the Soldiers who attend at the different Theatres retire, when they are off guard, and in using all sort of means of inflaming the minds of the lower orders of people, and of making them dissatisfied with the Government, and with every thing which constitutes the existence of society. They were most industriously employed in all those transactions; but Gentlemen, shortly before the 2nd of December, they came to more material and more important consultations, as to what ought to be done on that day, the advertisements that were to be put forth for the 2nd of December, and the placards which men were hired to carry about on their backs, and distribute, were of a very different sort from that advertisement published for the purpose of calling the first meeting,—for that for the meeting on the 2nd December, is in these terms: "England expects every man to do his duty."—The meeting in Spa-fields takes place at 12 o'clock, on Monday, December 2, 1816, to receive the answer of the Petition to the Prince Regent, determined upon at the last meeting held in the same place, and for other important considerations, the present state of Great Britain,—four millions in distress,—four millions embarrassed,—one million and half fear distress,—half a million live in splendid luxury, our brothers in Ireland are in a worse state,—the climax of misery is compleat,—it can go no farther,—death would now be a relief to millions,—arrogance, folly, and crimes, have brought affairs to this dread crisis,—firmness and integrity, can only save the country."

Gentlemen, there is at the bottom of this a note, and, reading that note, coupled with the previous part that I have read, I think there never was any thing more insidious than it is. Gentlemen, let any man read that paper, and say, whether it could be written with any other spirit, and particularly by men of whose conduct I have stated that which I have on the subject of their previous consultations,—of their ordering pikes,—of their conspiracy to destroy the barracks, and so on, without seeing that it was intended to inflame the passions of the multitude, and make them believe that the crisis, as they call it, had arrived, in which they should break out to destroy the Government, the note is this, "After the last meeting, some disorderly people were guilty of attacking the property of individuals, —they were ill informed of the object of the meeting, it was not to plunder persons suffering under these calamitous times, in common with others, the day will soon arrive, when the distresses will be relieved; the nation's wrongs must be redressed." I shall be happy to hear what explanation of that paper my learned friend can give, when he comes to address you; for what earthly purpose I would ask, would such a paper be written as that, and published and circulated, and placarded about the town, unless it was to persuade those who should come together to that meeting in Spa Fields, that the crisis was arrived in which nothing but force, which they were to use, could, by possibility, redress their wrongs, and that is not rebutted by the recommendation to these people who came not to plunder others who plead distress; this is applied to some boys having broken into bakers' shops, and taken away loaves, after the first meeting, but can any man read it, without seeing, that the object was to stir up the passions of those who should be assembled there to insurrection, and to hostile force, and rebellion. Gentlemen, these bills were circulated, and they were industriously circulated, for

the persons were instructed to deliver them where there were persons congregated,—where there were soldiers, and amongst those persons upon whose minds they would be most likely to produce that effect which was intended to be produced. Previous to that day, also the witness, whom I shall call to you, together with young Watson, and other persons, went in order to view the Gunsmiths' shops,—in order to look at the Ship-chandlers, who had stores of ammunition in their hands,—they went about also soliciting subscriptions; but it will appear to you, that one of the ways in which they were to effectuate this was, when they had got the people together, to go and provide themselves with arms, by attacking the Gunsmiths' shops, and taking away the arms from those shops.

There was one proposal, gentlemen, which, to be sure, does strike one as very extraordinary, and it was this: they were still apprehensive of the soldiers, and one of them suggested how the soldiers might be disarmed, when I say disarmed, I do not mean how their arms might be taken from them, but how they might be prevented from using any force against the mob, (for I may call them so) that Watson and the others intended to have as their forces, and it was this—that they were to dress up a certain number of young women, in tri-coloured cockades, and tri-coloured dresses, who were to march in front of their party, and that then the soldiers would feel that generosity and British spirit about them, that they would not fire upon the mob, when in so doing they must necessarily put to death some of those unfortunate young women, who were to be the first. Gentlemen, if that was so devised, I do say, a more wicked and more diabolical means of effecting any purpose hardly ever was suggested —to sacrifice, or at least to put into a situation of being sacrificed, unfortunate young women, for the purpose of influencing the soldiers or other persons, not to act against those who were engaged in this object.

Gentlemen, the time approached now towards the 2d of December, and therefore it became material that what was to be ultimately done then, should be carried into effect by some means or other; and I think it was on Saturday the 30th of November—there will be many other circumstances detailed to you—but on Saturday the 30th of November it will appear, that there was a consultation, particularly on the subject of arms, it was then agreed, that young Watson should go and purchase a couple of brace of pistols, which pistols he did purchase; and a brace of pistols were found upon Hooper, one of the other conspirators, when he was taken at the Royal Exchange, by the exertions of the Lord Mayor, now sitting on the bench, and an honourable alderman, also sitting on the bench; with respect to the other pistols, Castle, the witness, told those parties he had seen pistols at a shop in the neighbourhood of Paddington—he was ordered to go and buy them—he went, and made a deposit of a certain number of shillings—he was ordered to go and look at them again, and he purchased those pistols; he afterwards purchased a sword and a sabre at other places, and all those purchases will be proved by the persons of whom he made them, and all those articles were carried to Greystoke Place—at Greystoke Place they were all to meet on Sunday the 1st of December—there were there Preston, Watson, Hooper, young Watson, the witness, whom I shall call to you, and another person, whose name it is not material to mention, who is not the subject of prosecution, a person of the name of Keenes; I do not mention his name, as meaning to implicate him in guilt upon this subject, for many reasons; the party that were there were all to dine there except Mr. Thistlewood, because he was engaged, as he stated, at his own house at 4 o'clock, and that two persons of the name of Evans were coming to dine with him; but their plans were to be arranged, that it might be seen what they should do

the next day—it was there agreed, that the next day several of them were to go to Spa Fields.

But I should have told you, gentlemen, that previous to Sunday it was necessary they should have a waggon, or a stage, for the purpose of their making addresses to the people at Spa Fields, and that they employed Castle the witness, for the purpose of endeavouring to procure a waggon; Castle went to several places for the purpose of finding a waggon, but was not at first successful; at last he went to a smith, a Mr. Ware, a friend of his, and asked him whether he could tell him where a waggon was to be hired—he recommended him to a person of the name of Windermude, in the Horse-ferry Road, and he hired his waggon to be at Spa Fields on the Monday; he was afterwards sent to desire that that waggon might be brought to Holborn, where he should receive directions what he was to do—this was to be done before the Sunday: Castle was sent to Windermude on the Sunday, and was ordered to get the waggon on the next morning to the top of Chancery Lane; Windermude was also desired to dress his horses with the tri-coloured ribbon, and ribbon was offered to him for that purpose, but he positively refused.

On the Sunday, when they were all together in Greystoke Place, the plan was settled for the next day; that is, that they were to take the waggon there; that they were to go armed with their pistols and their sabres; that they were to break into the gunsmiths' shops, for the purpose of the persons with them arming themselves, and then they were to march away, as they said, to the Old Lady and Gentleman. Now let me explain what they called the Old Lady and the Old Gentleman. The Old Lady means the Bank; and the Old Gentleman means the Tower. It was at that time stated, or rather agreed, that the witness Castle should not go to Spa Fields with them, but he was to go to the east end of the town, and if he

found any persons collected together in the nature of a force, he was to go and see whether he could take the Tower. Preston and the other persons were to go to different parts of the Town; how it happened that that was not ultimately done, but that all these persons, except Castle, found themselves together in Spa-Fields, at the time of the meeting, on the Monday morning, instead of being thus divided, I do not know, but Castle had no more to do with the transactions of Monday morning in Spa-Fields (for he was not there) save this, that he went in the morning and ordered Windermude to bring his waggon to the top of Chancery Lane. Windermude brought his waggon to the top of Chancery Lane. While he was there, two gentlemen who will afterwards be proved to you to be two of the prisoners, came up to Windermude, and asked him whether he was going to Spa-Fields, he said yes, he was waiting there for his orders; they told him not to tell any person where he was going, and they came back at the time when Castle and Hooper came to the waggon to proceed to Spa-Fields. Gentlemen, they brought to the waggon the flag which was used on the 15th of November, with the inscription of Nature, Truth, and Justice, which I have stated to you. They brought also a banner, on which there was inscribed "The brave soldiers are our friends;" and they brought also another flag, a tri-coloured flag. Those things were put into the waggon, but wrapped up so as not to be seen by the persons passing by. A blanket was fetched from Preston's to cover them over, and they also put into the waggon, powder, shot, and ammunition. The waggon went on, and Castle, the witness, went away. He can therefore tell you no more of what was done in Spa-Fields, but what was done in Spa-Fields I will now shortly describe to you, and then you will judge, whether those persons, purchasing arms in the way in which they did; going to those meetings *with those arms*, having ammunition in the

waggon, raising a mob to attack all the gunsmiths' shops; which mob armed themselves with the arms taken from the gunsmith's shops. Whether you can have any doubt that all this together amounted to a levying war; to an insurrection for the purpose, I say, of destroying and subverting the constitution of the country; and if so, for the compassing and imagining the death of the king, and an actual conspiring to levy war for the purpose of deposing him, and obliging him to change his measures.

Gentlemen, before I come exactly to Spa-Fields, I, have told you, that on Sunday it was agreed that different persons should go to different parts of the town, who did not, for they went to Spa-Fields, and it was stated that there were to be divisions in different parts of the town; some on London Bridge, some on one side of the town, and some on the other, in order to march to the Tower, for the purpose of attacking it. Now, Gentlemen, there is a most extraordinary and strong confirmation of that, for I have already told you, that when Mr. Watson the elder was taken on the night of the second of December, a paper, purporting to be a List of the Committee of Public Safety, was found in his pocket. I will now shew you, in his pocket also there was found, a paper, which is obviously and manifestly a plan of action, and where the different forces were to assemble, and to come from, and so on, for the purpose of going to the Tower, and the Bank, for amongst those papers found in his pocket is this, "Smiths Westminster Road, collect and meet form three divisions," that is, working men smiths, "form 3 division is struck out, "at London Bridge, and proceed to the Old Man," that is, the Tower. "Smiths Westminster Road, form div. collect numbers and meet at London Bridge, where will be met and be led to the Old Man." All this in the same paper, "Paddington to proceed to Saint Giles's, barricade each side to

Holborn Bars, branch off to T. B." meaning, as I apprehend, Temple Bar—"barricade Chancery Lane and Carey Street." Then, Gentlemen, on the other side is this: "1. Saint Giles's, Saint Andrew's Holborn, broad part of Holborn Bars, Chancery Lane," that is one Division. "2. Carey Street, Temple Bar. 3. Theobald's Road, Gray's Inn Lane, Elm Street. 4. St. John Street, Old Street Road. 5. Whitechapel. 6. Tower. 7. Bank. 8. Poultry." Now, Gentlemen, that very paper was found in the pocket of Mr. Watson, at the time he was apprehended on the night of the second of December, when he was certainly quitting London, and apprehended by the purest accident upon earth. Gentlemen, that very division was settled and agreed upon on Sunday, the 1st of December, at Greystoke Place, or at least a division of the Troops very much similar to that. Gentlemen, at that time also a map of London was produced to them, when the order and course of proceeding were agreed upon between them.

Gentlemen, I have omitted to state that which is an extremely important fact, and have gone on to the second of December rather sooner than I ought to have done. The former meeting had been adjourned to that second of December; it was expected, of course, that Mr. Hunt would come and take not the chair, but that he would come and address the meeting: why it was that these conspirators thought it was better not to wait for Mr. Hunt, I do not exactly know; but certain it is, that they thought it more expedient for their purposes, that they should begin before Mr. Hunt came,—and they said they would be there before Mr. Hunt came,—and stated that amongst themselves, in order that they might lead the persons on who would join them to insurrection, before he should arrive.

Gentlemen, to Spa Fields they went, and there Thistlewood, with Preston, Hooper, and the two Watsons, ascended that *waggon into which they* had just placed those

arms and ammunition, each and every of them being armed themselves. Now, Gentlemen, I will read to you what will be proved to have been stated by James Watson the elder, from that waggon,—what was said by James Watson the younger, from that waggon,—and then I will state to you the acts immediately consequent upon those statements, and if any man can then say that this was a mere sudden ebullition of mind, or that it did not arise from a previous deliberate conspiracy to insurrection and rebellion, let him say it, but I am quite sure he must have a most extraordinary perverted understanding, if he does not see that all this was the effect of a previous concerted plan to effectuate the object, and that that was nothing else but insurrection and rebellion, for the purpose of overturning, as far as they could, the Government of the Country, and obliging the King to change his measures; but for the purpose of their revolutionary measures being followed by that which they necessarily must be, an actual deposition from the Throne, and the destruction of all Law and Government in the State in which we live. Good God, Gentlemen, let us consider for a moment what would have been the consequences of that day's mischief, or the subsequent measures, if it had not been stopped: if men marching from Spa Fields armed, as they did, had got into the plenitude of power, whose life, or whose property would have been secure? should we not have been in an actual civil war, at least during the time any contest would have lasted, in which all the horrors incident to a state of anarchy might have been expected? Is there any man who did not want an actual state of confusion, and bloodshed, and rebellion, that could have conducted himself in the way in which the Prisoner at the Bar has conducted himself, together with the others? I am quite sure it is not possible to come to a contrary conclusion, if these *facts are proved.*

Gentlemen, I was about to state to you that I would read to you what those addresses were, that were made by the prisoner at the bar, and by his son. This is Mr. Watson the Elder's address—" Friends and Countrymen, we are convened this day in consequence of the resolution passed at the last meeting, to hear the answer to the petition, which we agreed to present to the Prince Regent. I cannot refrain from expressing the pleasure I feel at addressing so many of those who were present when we last met, because they will be best able to appreciate the manner in which our prayers have been treated. You will recollect, that Mr. Hunt was deputed to present our petition to the Prince Regent, in the hope that he would give an answer to the cries of starving thousands, I have to inform you however, that the Prince Regent has resolved to give no answer; it is useless therefore for us to pursue that course: we are now called on then, to see whether the people of England will suffer themselves to be treated with contempt—we are called upon, because four millions of our countrymen are in distress," you recollect the paper I read to you, which was four millions in distress, and four millions so and so—"because so many more are in fear of distress and imprisonment, whilst half a million only are enjoying in splendid luxury—only half a million of the number stated in this placard (pointing to the bill which has been so generally circulated about the metropolis) are free from the apprehensions of poverty or death: I ask you under these circumstances, Friends and Countrymen, if Ministers have done their duty in advising the Prince Regent not to hear our cries," then there were exclamations of No, no, and so on—" has the Prince Regent himself done his duty? Was there ever a more calamitous time in this country than at this moment? it is not only this country which has been thus oppressed—our sister Ireland has shared in our misfortunes—there the climax of misery has been brought to a close—there their

sufferings cannot be extended further. Are we to go on from time to time, from month to month, from year to year, crying to the Father of his people, as he is called, in vain, for redress?—The present then is the time for us to do something—what?" that is the question he puts "Will men, with minds and hearts of Englishmen, continue thus for months and years to be starved? How then are we to be restored to our rights? Not by talking—not by long speeches—not by petitions, for our petitions are not heard. It appears that we have been placed in a state of bondage for years, and this because civil rights of society have not been attended to—the calls of the multitude, from time to time, have been neglected—that parliament, which should be solicitous for the protection of the people, have been invited to assemble together, to take into consideration the distresses of these calamitous times, to consider, in their wisdom, (if they possess that wisdom) the best means of affording relief in this distressing state of things—to consider the situation of the dying multitude, but in vain. It rests with ourselves then to consider how we shall relieve ourselves in these calamitous times; we have been told very truly, that trade and commerce have been annihilated, but still the earth was by nature designed for the support of mankind—the earth," you see here a recurrence to those Spencean principles to which I alluded in the outset—" the earth is at all times sufficient to place man above distress, and in a comfortable situation, if he had but a spade and a hoe to turn up his mother earth, he has the means of averting starvation. In the situation in which we are placed how is this to be accomplished? I will tell you, I have said, that the bonds of society have been neglected. They (his Majesty's ministers) have placed us in a situation of misery—they have neglected the cries of the hungry and starving people; there is not a day in which we pass through the streets of

this great metropolis that we do not see people starving to death. Are they ignorant of this? If they are they ought not to be: but they are not—they know well, that the people are starving in every part of the kingdom; and yet will admit of no measures to relieve them. Will they now hear our cries? Have they not been supplicated in the language of forbearance and patient suffering? Have we not been in a state of bondage longer than the Israelites?—they were in bondage but four hundred years; but we have been longer, ever since the Norman Conquest—Kings have been admitted by you to do as they liked—they have in many instances converted you to their own wicked purposes, but this must not last any longer." Mr. Watson then stood down, and made way for his son.

Now, Gentlemen, it is impossible to read this paper, without seeing what is meant by it: 'Have we not been in a state of bondage longer than the Israelites?—they were in bondage but four hundred years; but we have been longer, ever since the Norman Conquest—Kings have been admitted by you to do as they liked—they have in many instances converted you to their own wicked purposes, but this must not last any longer.' I do say, Gentlemen, it is impossible to misunderstand that as it seems to me—the Norman Conquest has put Kings upon us: this must not last any longer; the King must not remain as King of this country, and we must not have Kings of this country.

Gentlemen, Mr. Watson stood down, his son then, in the presence of his father, addressed the meeting. "The last time we met in this place, I had the honour of saying a few words to you. My fellow countrymen, I was the person who proposed the resolution for our meeting again this day. Some were of opinion that our meeting should be adjourned to the first day of the meeting of Parliament, but I said that it was not in our power to tell when Parliament would meet, or whether they would meet at all. At that time

we agreed to present a petition to his Royal Highness the Prince Regent; this petition we had been told was presented, but answer there was none except that the Prince Regent nor any of his family ever attended to the prayers of the people, unless through petitions from the two universities of Oxford and Cambridge, or from the Corporation of the City of London; in a word, he will not attend to the prayers of the people; this man calls himself the father of his people—is it not the duty of a father to protect his children? Does he do so? No. He treats your complaints with indifference, and tramples on your rights. There is no luxury which he spares, because he knows the expences must come out of your pocket. Are we to submit any longer to this? will Englishmen any longer suffer themselves to be trod upon, like the poor African slaves in the West Indies? We must have relief, but how is this to be obtained? Have any attempts been made to relieve you? Yes, such a pretence has been made since our last meeting, in consequence of the resolutions which we passed, and the firmness displayed by the people calling for relief, some persons have come forward to give us ox-cheek soup, and ox-bone broths. Those have come forward with their two hundred, who should have come forward with their one or two hundred thousands. Do you believe that those people are sincere in their wishes for your welfare?—Do they not come forward to rob you of all you possess, and then give you a penny to pay the turnpike? The Prince Regent in his great generosity, has given you five thousand out of the funds which do not touch his own pocket—he robs you of millions, and then gives you a part of the spoil. My friend has been described by the treasury journals as a second Wat Tyler: no bad title, for be it recollected, that Wat Tyler rose for the purpose of putting down an oppressive tax, and would have succeeded, had he not been basely murdered by William Walworth, then Lord Mayor *of London.* But we have no bull-rush Lord Mayors now,

and if he was surrounded by thousands of his fellow countrymen as I am, he need fear no Lord Mayor whatever. It seems the determined resolution of Ministers to carry things in our way; or as they call it, "Our Sovereign Lord the King will carry every thing with firmness;" that is to say, they will carry the business in defiance of the voice of the people. If they will not give us what we want, shall not we take it?" There was a cry among those who stood round the waggon, "Yes! yes!" upon which Mr. Watson put this second question, "Are you willing to take it?"—"Yes!" was the answer. "Will you go and take it?"—"Yes!" was the cry. "If I jump down amongst you, will you come and take it?"—"Yes!" from a great many voices, and so on at that instant. "Will you follow me?"—"Yes!" was the cry, Upon which down jumped Mr. Watson from the waggon, and then the mob proceeded to those outrages which I am about shortly to state to you. Gentlemen, they rushed in a tumultuous body, headed by young Watson, and with old Watson with them; they proceeded from that place, with Thistlewood and the others, and they were intercepted by some of the police officers, whom I shall call to you to prove that which passed upon that subject. They had their flags and their banners—flags—one of which had the inscriptions I have described to you; and the banner which had on it, "The brave soldiers are our friends, treat them kindly" Treat the brave soldiers kindly! What had a peaceable and unarmed body to do with treating the brave soldiers kindly? Why, gentlemen, it was inscribed upon that banner for the purpose of seducing the soldiers, if it should be necessary to call them out, for the purpose of beating down that insurrection which they were about to attempt.

Another thing, Gentlemen, give me leave to state, there were tri-coloured flags and banners, and the cockades those persons wore were the tri-coloured cockades. Gentlemen,

let us recollect, under that ensign were those horrors
mitted, in a neighbouring country, which every man sha
when he recollects, but under the tri-coloured,—it w
ensign of every thing that was anarchical and revolutiona
it became at last the national standard of tyranny
usurpation,—that into which anarchy generally falls
it commenced as the ensign of anarchy and revolu
Gentlemen, why was that tri-coloured flag adopted here
for the purpose, if possible, of holding up as an exa
for the purpose of having that example followed; all
revolutionary and horrible scenes which took pla
France, not five and twenty years ago. For what
purpose I should like to know, were those colours pecu
adopted. Gentlemen, it is at all times most dangero
most dangerous, indeed, when many many persons ar
sembled together, for any purpose, to adopt an ensign,
standard,—nothing so dangerous,—even if persons origi
assembled for innocent purposes; when that is adopte
becomes, as it were, a rallying point of dissatisfactio
becomes an encouragement, and let us recollect, that
and years ago in this country, and in this town, thoug
flag was not a tri-coloured one, yet half this town w
flames, from the blue ribband, that was hoisted, I re
the time of Lord George Gordon. . . . .

Gentlemen, when the mob rushed to get out of Spa Fi
for the purpose of going to the Tower, in hopes of ge
possession of that place, and to the Bank, also in hop
they got possession of the Bank, that that might fu
them with finances and means of carrying on their sch
they were met by the police officers at the corner o
Fields, a struggle took place with them, and some of
banners were taken away from them,—with others
went on, and with the rest they proceeded towards the
What were the first places they attacked, the gunsm
shops, and for what purpose, but to arm themselves,

put themselves in battle array against the laws and the constitution of their country. Why were the gunsmith's shops attacked more than any other? Why was Mr. Beckwith's, which was the first gunsmiths they met with, except that it might furnish them with arms, afterwards to effectuate their purpose. Gentlemen, I will not particularly detail to you what took place at Mr. Beckwith's, it was burglariously entered and plundered, arms were taken from it, and the very object with which they went, was declared by those who went, by saying, that arms they would have, and let it never be forgotten, that when young Watson went into the shop of Mr. Beckwith, on being expostulated with by an unfortunate Young Gentleman, Mr. Platt, who happened to be in the house, he took a pistol from his pocket, and shot that Gentlemen, though, thank God, it happened he did not kill him. On this transaction taking place at Mr. Beckwith's, for I would rather have this stated by the witnesses, than detail every circumstance; those arms were forcibly taken; the mob were encouraged to break into the house, and take every article of arms and ammunition, and with these arms so taken, in their hands, they proceeded afterwards towards the Royal Exchange, firing guns and pistols, and proceeding in that tumultuous manner, which will be described to you by the witnesses, in fact, in open and flagrant rebellion. At the Royal Exchange, a part of them were met by the Lord Mayor and Sir James Shaw; part of them got more to the eastward than the Royal Exchange; I believe one of those persons discharged two guns at my Lord Mayor; one of the persons, who, though not upon his trial now, is one of those charged with the prisoner, James Watson, the elder, (I refer to Hooper,) was taken with arms upon him in the Royal Exchange, which arms will be proved to you to have been purchased by young Watson, on the 30th of November, the Saturday before this meeting, in consequence of the concert amongst themselves

at that time, that each should furnish himself with pistols, and with arms, for the purposes of Monday. Young Watson purchasing two brace of pistols of a gunsmith, Mr. Mills,—one pair, of which, were the very pistols that were found on Hooper, one of the conspirators and traitors who were taken by my Lord Mayor, at the Royal Exchange.

Gentlemen, though that party were stopped at the Royal Exchange, the others, or many of them, proceeded on towards the Tower. What were the objects of their attack?—the gunsmiths shops; for when they went into the Minories, the shop of Mr. Rea, a gunsmith at that place, was immediately attacked. Mr. Rea had shut up his shop, and they went over to the other side of the way, and attacked the house of Messrs. Brander and Potts, who were gunsmiths, and took all the arms that were to be found there, together with a field piece which was there, which was afterwards taken from them: and while in this course of proceeding to the Minories, which was not far from the Tower, a person advanced from the rest of the mob, followed not by a great many I agree, but a person advanced with a sword in his hand, from the rest of the mob, who, I believe it will be shewn to you, was Mr. Thistlewood; he advanced to the Tower, and got upon the rails, and addressed himself to the soldiers, desiring the soldiers to open the gates, stating, that they should have a hundred guineas a-piece, or double pay: he was followed, it is true, by very few. Just at this time, His Majesty's troops the guards came into the Minories, and as soon as they made their appearance, or very shortly afterwards, those who had armed themselves with these guns and pistols, and were firing them off, ran away, and there was a prevention of the mischief of that day being carried further than it had been.

Now, Gentlemen, I would ask, whether it is possible for any human being to doubt what was the object of this?

If it was not insurrection, what was it? Why were all those arms purchased and procured, which will be proved to you by the persons of whom they were purchased, and of whom they were procured? Why was that ammunition put into the waggon? Why were those speeches made by Watson the elder, and Watson the younger, except for the purpose of exciting to rebellion and insurrection? Why were those measures taken to obtain arms? Why was any approach made to the Tower by any one person?—It may be said, the Tower taken by one man's advancing, with only a few at his heels?—No; the Tower was not taken; but the question is, whether there was a conspiracy, a consultation, and an intention to do so; for I care not how far they had gone towards the conclusion of it, provided they had so far gone towards effectuating their object, as to shew what their object was: now, I should like to hear my learned Friends state what the object, by any possibility, could be. That James Watson the elder, was one of the persons conspiring to effect these objects, I will prove: what then was the object, except that of levying war; nothing but that was done, and nothing short of that was done.

Gentlemen, after this, when peace was so far restored that the rioters were dispersed, the Watsons, and Thistlewood, and Hooper, came back to Watson's lodgings in Dean Street: there Thistlewood, and Watson, and young Watson, packed up some linen and some clothes, saying they should go into the country, and promising to write a letter under the name, I think, of John Williams, to be left at the Red Hart in Shoe Lane. They left their companions, they left the witness, and they left Preston, and they went away and disappeared from London on that night. Gentlemen, it happened, that in going along the Highgate-road, one of the patrole there had received information upon the subject of some robbery having been

committed, I believe, in the county of Essex, and on finding three persons walking along the road, and one of them with a bundle at that time of night, he having no notion of their being any of the persons who had had any thing to do with the transactions in London, desired them to stop: Mr. Watson was the person whom he stopped,—he said he had no objection to shew him his bundle; the man looking at his bundle, perceived under his coat a pistol; his suspicion of their having something to do with the robbery increased, and he insisted on stopping them. Gentlemen, he seized Mr. Watson; the other two persons who were with Watson, fired their pistols at the patrole, and Watson was seized, and was secured, and in his pocket were taken those papers I have stated to you. He was armed with pistols at the time, and being left in the possession of men, for the purpose of securing his person, he had a scuffle with those persons; he drew his dirk and one of them was wounded.

Gentlemen, there is no other part of the transaction subsequent to that time which it is material to state, as against James Watson; what the others may have said at any subsequent time, I am not now about to state to you: whatever they said, and whatever they did, though separately and singly each from the other, during the time the transaction was going on, will certainly be to be considered, they being connected together as evidence against each: it is as it were a part of the res gesta of the transaction; but with respect to any thing that was stated at a time long subsequent by either of the other persons, I will not state to you at present.

Gentlemen, I stated to you, in the course of my opening, that though I began with the transaction from the earliest period, I should not probably follow it in the course of proof. I shall begin, before I call the witness who states the early part of the transaction, with the transaction which

ment of the most material and important facts of the
ation. That witness is subject, gentlemen, to this ob-
ition, that certainly in the conduct of this business,
n this transaction, he must be considered as having
an accomplice; for so he was beyond all doubt. The
of England, however, admits beyond all doubt the tes-
ny of an accomplice. It is admissible and competent
nce; it is competent even if unconfirmed; but if to-
unconfirmed, and there were no evidence arising out
e transaction he stated, perhaps in many cases it would
e much to say, that reliance should be placed upon the
nce of an accomplice, where the life of another was
he. But in this case, I think I do not deceive myself
I say, that without the testimony of this accomplice,
is evidence, and strong and powerful, and cogent evi-
as against the prisoner James Watson, of deliberate
of treason, as charged upon this indictment; but I
all this accomplice, because I know that I shall con-
him in many, many, many circumstances; and it is a
ar thing, that there is no small or minute circumstance
e has stated in the course of his narrative, and which

almost every circumstance. If I do this, gentlemen, I sh make out the case beyond all doubt; I shall make out t case of the treason as charged upon this record, the co passing and imagining the King's death—the compassing a imagining to depose the king—the levying war and also t conspiracy to levy war for the purpose of deposing his M jesty from the throne.

Gentlemen, I am sorry I have been under the necessity taking up so much of your time. The transaction it consists of such a vast variety of circumstances, that ev in the statement I have made I am afraid I have omitted great many—I fear I have repeated two or three of th more than once, though the case will be proved in t clearest possible way: sometimes one does in the statem betray a confusion of recollection, from not immediat calling to mind every circumstance. I shall now call witnesses to the case; and unless some of the facts can most materially contradicted by witnesses on the other si I challenge my learned Friend to explain them away, a to prove that those acts committed by the defendant, Jam Watson, do not amount to the crime of High Treason.

Evidence for the Crown.

Thomas Storer sworn.

Examined by Mr. Solicitor General.

Q. I believe you are a printer, living in Fetter-lane?

A. I am.

Q. Do you know the prisoner, Mr. James Watson?

A. Yes.

Q. Do you remember seeing him at any time in the month of November last?

A. Yes.

Q. On what day of November?

A. I believe it was on Wednesday the 6th of November?

Q. Where was it you saw him?

A. At my house, in Fetter-lane.

Q. He called at your house?

A. Yes.

Q. For what purpose did he call?

A. He wanted a paper printed, which purported to be a memorial or petition, that was intended to be presented to the Prince Regent.

Q. Did he state when he wanted it to be printed?

A. Yes, he wanted it the following evening, to be distributed at a meeting.

Q. Did he state that he wanted it to be distributed at a meeting?

A. Yes, he did. I told him the time was so short that I could not undertake it, and he read part to me.

Q. Are you enabled to state what he read to you?

A. Not the whole of it: I remember a part of it.

Q. State the part which he read to you.

A. A part of the petition was, that the land was to be divided into parishes, and to be let out in parochial partner-

ships; and that all the waste lands, mines, and quarries, were to be appropriated for the use of the government expences; and after that, the rental of the different parishes or bounds were to be let out, and divided among the people: those are the principal heads that I remember of it.

Q. Do you remember any thing more that he read to you?

A. No, I do not.

Q. Be good enough to state what more passed between you and him.

A. Mr. Watson stated, that a meeting was to take place on the following night, at the Carlisle in Shoreditch—the next day I should say.

Mr. Justice Bayley. Do you mean the Thursday or the Friday?

A. The Thursday.

Mr. Solicitor General. Did any thing more pass at that time?

A. He promised me that there would be a bill for a public meeting.

Q. That was to be printed, I suppose?

A. Yes.

Q. Do you recollect any thing more passing on the 8th?

A. No; I believe that is the principal that passed then.

Q. Did you print this memorial?

A. No, I did not.

Q. When did you next see Mr. Watson again?

A. On the Sunday morning following, which was the 10th.

Q. Where did you see him on the Sunday morning—did he call again at your house?

A. Yes.

Q. For what purpose did he call upon you on the Sunday morning?

A. He brought me a copy of a bill to be printed—we agreed for the printing of them.

Q. How many copies were you to print?

A. I believe it was 2000 small, and 300 large.

Q. Did you print any of those bills?

A. I composed it, and printed off one, and shewed it to him in the evening.

Q. On the evening of the Sunday?

A. Yes.

Q. Did he come to your house again in the evening?

A. Yes.

Q. What passed in the evening when he called?

A. I shewed him the bill, and he approved of it—he liked it very well, and asked me if I would let him have some; being Sunday I could not—I promised to let him have some on the following morning.

Q. That is on the Monday morning?

A. Yes.

Q. Did any thing more pass on the Sunday evening?

A. He brought me a £10 note on the Sunday to take out what I wanted.

Q. To pay yourself?

A. Yes, to take out what I wanted as sufficient to indemnify me till the whole were done.

Lord Ellenborough. To pay yourself for what?

A. To take a deposit.

Mr. Solicitor General. Did you see him again on the Monday morning?

A. Yes: I did not keep the whole of the £10, I returned him all but £1—my wife did however.

Q. Was that on the Sunday?

A. Yes.

Q. He came again on the Monday morning?

A. Yes; on the Sunday he told me that the advertisement was to appear in the Morning Chronicle and the Morning Advertiser newspapers on the next morning, and I waited—

Q. On the *Monday morning* he came again?

A. Yes; but before he came, I went to the Morning Advertiser Office.

Lord Ellenborough. Are all these particulars necessary?

Mr. Solicitor General. No, my Lord, I believe not.—On the Monday morning he came again?

A. He did.

Q. Did any body come with him on the Wednesday or the Sunday, or did he come alone?

A. He came alone on the Wednesday and the Sunday.

Q. On the Monday did he come alone?

A. No; there was his son and another person were in the room when I went home again.

Q. Be good enough to state what passed between you and him on the Monday morning?

A. He came for the bills; he asked me for them, but I declined giving them to him.

Q. The printed bills?

A. Yes, the printed bills; and he asked me the reason why I had not objected to it in the first place; I said, I did not see any harm in the bill when he brought it to me, but I had since considered of it, and thought it would be dangerous to have any thing to do with it.

Q. State what passed between you and him on the subject?

A. I told him that we knew very well what it was to call a meeting; but when they were assembled, who was to be accountable for their actions, in case they should do any mischief.

Q. Did he make any answer to that?

A. Yes; he said there were many meetings in the country called;—that nothing had taken place;—that the people had gone home peaceably and quietly, that no danger might result from the meeting; I told him, I did not know how this might be, and did not like to have any risk, and young Watson asked what I was afraid of.

Q. Who was young Watson?

A. The son.

Q. Is that James Watson the younger?

A. It is; he asked me what I was afraid of; the old one who was present, said, suppose I was afraid of having my house pulled about my ears by the vengeance of the mob, for that I was perverting the ends of justice more than supporting it, by refusing to print the bills; young Watson asked me to give him a copy.

Q. One of the printed bills?

A. Yes, one of the bills that I had printed; I said, as my name was to the bill, any printer would print it afterwards, without thinking there was any danger.

Q. You mentioned that as an objection to giving him the bill.

A. Yes; for seeing a printer's name to it, is a great inducement to another to do it. I had printed it, but I declined to give him one; he said he wanted one, it was not to dictate to a printer, but to give it to Mr. Hunt.

Q. Did you make any answer to it, or did you give it him?

A. No, I did not; I told him I knew Mr. Henry Hunt very well, and that if he would produce me his letter that he wanted it, I would myself send him one; he said no, if I would not send it without his letter, I should not send it with.

Q. You declined letting him have one to send to Mr. Hunt?

A. Yes; and he went away and came back again in five minutes afterwards.

Q. Did you let him have any of the bills?

A. No, I did not.

Q. Did any thing more pass at that time, according to your recollection?

A. Yes; Mr. Watson had the paper I had bought, and

the money I had received, the difference of the pound note; I had taken half-a-crown, I believe, it was making up the pound note; I gave them the paper I had bought out of the pound note, and the difference.

Q. You had printed some of the bills?

A. Yes; but that was my own paper.

Q. Had you any of those printed bills?

A. There was one saved, and it was given to the Grand Jury, at Hicks's Hall.

Lord Ellenborough. Have you that?

Mr. Solicitor General. Yes, my Lord, I believe we have it here.

Mr. Serjeant Copley. You have not asked him what became of the manuscript.!

Mr. Solicitor General. It was returned, I believe,—What became of the manuscript?

A. It was returned to Mr. Watson.

Mr. Justice Bayley. To old Watson

A. Yes.

Mr. Solicitor General. We have given them notice to produce it.—What was the purport of the paper?

A. It was to call a meeting in Spa Fields.

Lord Ellenborough. Will not this appear from the paper itself.

Mr. Solicitor General. Yes, my Lord, but we have returned the manuscript, we have a printed copy somewhere. Look at that, perhaps that will refresh your memory as to the contents of the manuscript?

A. Yes, it purports to be the same.

Mr. Justice Bayley. Is that the one he printed?

Mr. Solicitor General. No, my Lord, it is not that, but it is one that was printed by another printer, whom we shall call.; we had one, but by some accident it has been mislaid. It is for the purpose of calling a meeting of the distressed manufacturers, mariners, artizans, and others, of the

cities of London, Westminster, the Borough of Southwark, and parts adjacent.

Mr. Serjeant Copley. I must object to that.

Mr. Solicitor General. State the substance.

A. It was to call a meeting in Spa-Fields of the mariners, artizans, and distressed tradesmen, and others.

Q. Where were they to assemble?

A. In Spa-Fields.

Q. Did any thing more pass before they left you, on the subject of the printing of those bills?

A. I declined printing them.

Q. What said they on your declining?

A. They took away the paper, and said they should go to Tottenham Court Road.

Q. Which of them said that?

A. Young Watson.

Mr. Justice Bayley. Was that in the hearing of the father?

A. Yes, he said he should go to Tottenham Court Road, and get them printed there.

Mr. Solicitor General. Did he name any person by whom they were to be printed in Tottenham Court Road?

A. Yes, Messrs. Seale and Bates.

Q. Did you afterwards procure that paper from Seale and Bates's?

A. Yes, I did.

Q. That very paper?

A. Yes.

Q. That is your writing upon it?

A. Yes, it is.

Q. When did you get that at Seale and Bates's?

A. On the Tuesday.

Q. On the Tuesday following that Sunday, that would be the 12th of November?

A. Yes.

Q. Do you know a place called Greystoke Place, near Fetter Lane?

A. Yes.

Q. Where is the entrance to Greystoke Place?

A. There are two.

Q. Where are the entrances?

A. One out of Fetter Lane, and the other going through into Cursitor Street.

Q. Is either of those shut at night?

A. One of them.

Q. Which of them?

A. The one that leads to Cursitor Street.

Q. Do you recollect passing by Greystoke Place at any time in the month of November last?

A. Yes.

Q. What day?

A. It was on the Wednesday evening.

Q. The Wednesday following the Sunday?

A. Yes.

Q. That would be the 13th?

A. Yes.

Q. About what time on the Wednesday evening?

A. I was there about nine o'clock in the evening.

Q. Did you see any persons coming from any house in Greystoke Place?

A. No, I did not, I went by there to go to the Carlisle.

Q. Did you pass it in your return?

A. Yes.

Q. What time was that?

A. I believe between one and two in the morning.

Q. On the Thursday morning?

A. Yes.

Q. Did you then see any persons coming out of any house in Greystoke Place?

A. Yes, I went to go through the court, and finding the

door shut, I saw the door of No. 9, opened, and six or eight persons came out of the house.

Q. Did you observe who any of these persons were?

A. No, I did not observe who any one of them were.

Q. Was it dark?

A. I cannot recollect.

Cross-examined by Mr. Wetherell.

Q. What was the day when you were desired to print the memorial to the Prince Regent?

A. On the Wednesday.

Q. When you were pressed to print that so early, you said you could not get it printed?

A. Yes.

Lord Ellenborough. Do you read that paper which you put into his hand.

Mr. Solicitor General. We cannot at present, my Lord, we shall after we have called the next witness.

Mr. Wetherell. When you had printed those bills, you did not chuse to have them circulated?

A. No.

Q. You say that you kept one, what did you do with the rest, did you destroy them?

A. I burned them.

Q. How happened you to keep one?

A. I kept it merely from curiosity, not from any particular motive.

Q. Why did not you burn all of them?

A. I kept that merely to see whether the meeting did take place or not.

Q. Your curiosity induced you to keep that one?

A. Yes.

Q. What curiosity led you to tell any persons that you had kept a copy of this bill?

A. I went to the office of the Morning Advertiser the following morning, and consulted with them with respect to the printing of those bills, to see whether they had an Advertisement to that effect, as Mr. Watson said it was to appear.

Q. You finding that there was no such bill in the newspaper, did not chuse to have them printed with your name at the bottom, under the regulations of the Act?

A. I would not print them at all, if I thought there was danger.

Q. To whom did you first tell this?

A. I cannot say whom I first told it to; there were two or three others in the room.

Q. To whom did you first communicate that you had kept that copy?

A. I was not aware at first but that I had burnt them all, but I afterwards found one.

Q. To whom did you first tell this?

A. I told it to an old printer that I knew,—an old man.

Q. You took it to the Secretary of State's Office?

A. Yes, I did.

Q. When did you take it to the Secretary of State's Office?

A. On the Monday.

Q. You kept one for your own curiosity entirely, and for no other purpose?

A. I had one left in my pocket that would have been burnt, if it had been along with the others.

Q. Did you keep it on purpose, or accidentally?

A. I kept it after I found I had only one left; I did not think it worth while to destroy it.

Q. As you would not let any person have one, why did you keep it?

A. Because it was in my own possession.

Q. Did you keep it that you might afterwards deliver it, *or why did* you keep it?

A. Only as I before observed, merely from curiosity, to see whether the meeting took place.

Q. When did you first communicate at the Secretary of State's, that you kept it?

A. I cannot say, I went to the Secretary of State's with the bill.

Q. Were you examined before the Jury at Hicks's Hall with the bill?

A. Yes. I gave it in there.

Q. What Jury at Hicks's Hall,—the Grand Jury who found the bill?

A. Yes.

Q. Is that the bill against those persons?

A. Yes.

Mr. Justice Abbot. How can he know what bills there were?

Mr. Wetherell. Were you examined before the Grand Jury on the subject matter on which you have been examined here?

A. I cannot say,—I was subpœna'd there and examined.

Q. Were you examined there by the Jury, on the fact of your having been applied to to print those bills?

A. Yes, I was.

Q. Did you state to them what you have stated here?

A. I believe I did.

Q. Did you produce to the Grand Jury at Hicks's Hall this single copy, which you say you have kept?

A. Yes.

Q. Who took you to the Grand Jury at Hicks's Hall,—did any of the Gentlemen sitting here take you,—did Mr. Litchfield take you?

A. One of his Clerks.

Q. Did Mr. Litchfield attend you there?

A. I cannot say.

Q. You cannot mistake Mr. Litchfield's person.

A. I saw him in the room once.

Q. Who summoned you to attend the Grand Jury with this bill?

A. I was subpœna'd.

Q. Who subpœna'd you?

A. One of Mr. Litchfield's clerks.

Q. When were you subpœna'd to attend at Hicks's Hall with this bill?

A. I think in the month of February.

Q. That was afterwards—two months after you had printed those bills, was it not?

A. Yes.

Q. Are you accurate as to the time?

A. Yes.

Q. How long did you attend before the Grand Jury?

A. I suppose I might be there a quarter of an hour.

Q. Was Mr. Litchfield, or one of his clerks, present when you were examined before the Grand Jury at Hicks's Hall?

A. I cannot say.

Q. Endeavour to recollect.

A. I cannot recollect. I do not remember knowing one person in the room.

Q. To whom did you deliver the bill, to the Grand Jury, or to Mr. Litchfield's clerk?

A. I believe it was to the Grand Jury; but I do not know them. I went into the room, where I was examined, and delivered the bill.

Q. Did you produce this bill, or had you been examined before the London Grand Jury, as to the fact of printing those bills? Had you been examined before any other Grand Jury on the subject?

A. Yes.

Q. *What Grand Jury was that?*

A. The Grand Jury belonging to this Court.

Q. No other Grand Jury?

A. No; one was at Hicks's Hall, and the other was here, according to the subpœna.

Q. Into whose hands did you deliver this bill at Hicks's Hall?

A. To the Grand Jury, I believe.

Q. Have you had it back again?

A. No, I have not.

Q. Have you seen the bill since you handed it over to the Grand Jury at Hicks's Hall?

A. I have not.

Arthur Seale sworn.

Examined by Mr. Topping.

Q. You are a printer, I believe, are you not?

A. Yes.

Q. Do you live in Tottenham-court Road?

A. Yes.

Q. Did you do so in the month of November last?

A. Yes.

Q. And sometime before that?

A. Thirteen years.

Q. Do you remember any application being made to you, in the month of November last, to print any hand-bills?

A. Yes.

Q. Can you tell me what day of the month of November it was?

A. About the 11th, but I can tell by looking—it was the 11th.

Q. What day of the week was that?

A. On a Tuesday, I think; I will not be positive to the day, but I think it was a Tuesday.

Q. By whom was the application made to you?

A. A Mr. Preston came to me and said, he would introduce a gentleman to do a little business—there were some

gentlemen he brought with him, and they said, they had some bills they wanted printed for a public meeting.

Q. How many gentlemen accompanied him?

A. There were four or five.

Mr. Justice Bayley. You have not identified what Preston it was.

Mr. Topping. I am about to do that by the next question. Was it Thomas Preston, one of the Defendants in this prosecution?

A. I do not know whether his name was Thomas, but I know him as Mr. Preston.

Q. Can you see him in court?

A. I cannot say that I do.

Q. Had you known him before?

A. I had known him for two years.

Q. Is he the Thomas Preston who is indicted with Watson?

Mr. Serjeant Copley. How can he know that?

A. I do not know whether he is the prisoner that is indicted—I had known him very well.

Lord Ellenborough. If there is any body in the way, you may remove that person.

Mr. Topping. Do you see him here?

A. Yes, that is the gentleman sitting there (*pointing to Preston.*)

Q. You had known him for two years?

A. Yes, he lived up in our neighbourhood.

Q. Who are the persons who came along with him?

A. There is one of them.

Q. Who is that one?

A. That Gentleman that sits there is one of them, the Gentleman who sits there between me and Mr. Preston. (*The witness went down and pointed out the prisoner Watson,*) that was one among the rest that came to me,—he was one of the Gentlemen of whom I received the order.

Q. He and Preston were two of the party that came on this 11th of November?

A. Yes.

Q. For what purpose did they come, and by whom did they say they were sent?

A. They did not say by whom.

Mr. Wetherell. Will you have the goodness to ask whether Mr. Watson was present?

Mr. Topping. Yes, I understood him to say that. Was Watson present?

A. Yes. Mr. Pretson said they wanted some bills printed for a public meeting.

Q. Do you recollect the day when the public meeting was to be?

A. The 25th of November, or the 22nd of November.

Q. Did you print any bills?

A. Yes.

Q. Will you look at that,—that may refresh your memory, *(shewing a bill to the witness,)* is that one you printed?

A. Yes.

Q. In consequence of what passed, you printed that amongst others?

A. Yes.

Q. Did you print that bill from any manuscript produced to you?

A. Yes.

Q. By whom was that manuscript produced to you from which you printed the hand-bill in your hand?

A. I really cannot say which of the three Gentlemen gave me the manuscript,—which of the other three Gentlemen, I do not think it was that Gentleman, Mr. Watson.

Lord Ellenborough. Were they all by at the time?

A. There was Mr. Preston,—that Gentlemen, and two

others, whom I do not see here at all. I do not know who they are.

Q. They were together in the room with you?

A. In my public shop.

Q. Was an order given you for any number?

A. I believe 3000 or 3500 small, and 500 large. I believe an order was given for 3000 small, but there were about 500 more done afterwards.

Q. When you had printed them, to whom were they delivered?

A. A great number of different people called for them.

Q. Had you had any orders as to the delivery of them?

A. No, I had no orders where to deliver them, nor nothing; they were fetched away promiscuously, by different individuals.

Q. You delivered them to persons who called for them?

A. Yes, to different people.

Q. How came you to do so?

A. I naturally thought that those who fetched the bills came from the people who employed me. I thought by means of Mr. Preston, I should know who the persons were that fetched them.

Q. Did you deliver to persons calling the whole of what you printed?

A. Yes.

Q. How soon after the order was received were the handbills printed?

A. Part of them were printed the next day, the 19th.

Q. Did you print them on paper of your own?

A. No, the paper was brought by somebody from another printing-office for the first; the other paper I found.

Q. Do you know what quantity it was that was brought?

A. No; I cannot tell; there were altogether 3000 or 4000 small.

Q. *Did you* print any other bills?

A. I printed some for the meeting on the second of December afterwards.

Q. That is one of the bills you printed?

A. Yes.

Q. Have you got the manuscript from which you printed this?

A. Of that one I have *(producing it)*

Q. This you now produce is the manuscript from which you printed that bill?

A. Yes.

Q. Are you acquainted with the hand-writing of that manuscript?

A. No, I am not.

Q. Look at it?

A. That question has been asked me before, and I have considered of it. I really do not know the hand-writing of that paper.

Q. Are you acquainted with the hand-writing of Preston?

A. No, I am not, I never saw him write.

Q. You neither know the hand-writing of the Body of the bill, nor the hand-writing of the two names which appear subscribed to it?

A. No.

Q. Did you print any others but those?

A. For the second of December.

Q. When were you applied to to print any hand-bills for the meeting of the second of December?

A. For the meeting of the 2nd of December I was applied to on the 26th of November; it was about a week or eight days prior to the meeting.

Q. Who made the application to you to print those bills?

A. A Mr. Castle.

Q. Was any paper brought by him?

Mr. Wetherell. We do not know who this Mr. Castle is at present.

Mr. Topping. It is a fact——

Mr. Wetherell. But he is not connected at present.

Lord Ellenborough. He must be either a person connected with the purpose or not; now whether he is or is not it is a mere simple bringing of this bill: he is at present a mere human being, by whom this act is done.

Mr. Topping. A Mr. Castle came to you, on the 26th of November, and asked you to print bills for the second of December.

A. Yes, I told Mr. Castle I would not.

Q. How many did he desire you to print?

A. Four thousand small, and 500 posting bills or placards.

Q. Have you got one in your pocket?

A. I have one of the large ones in my pocket.

Q. This is one of those you printed in consequence of that order given you on the 26th of November.

A. Yes.

Q. Were you directed to carry them to any and what place when printed?

A. When Mr. Castle left the order, I told him I would not take the order unless I was to be paid for the former bills, and he told me to make the order out in his name, and he would pay me.

Q. You had not been paid for the bills you had previously printed?

A. No.

Q. How soon did you print them?

A. In a day or two.

Q. Where did you take them to?

A. I sent them down by my apprentice to Mr. Hooper *in Greystoke Place.*

Q. I ask you whether you took any of the bills you printed to any and what place?

A. I took none myself.

Q. Some were delivered to your apprentice?

A. Yes, some were delivered to my apprentice, to be delivered.

Q. What was done with the rest?

A. They were fetched away by different individuals.

Q. Who were those individuals?

A. That Gentleman (Watson) fetched away some of them; I had not then the pleasure of knowing Mr. Watson, I knew Preston very well.

Q. How many did Mr. Watson fetch away?

A. About five-and-twenty.

Q. Of which bills, the large or the small?

A. The large bills.

Q. Do you recollect when it was that he fetched them?

A. Yes; it might be two or three days from the time of his giving the order; about the 28th, I should think it was.

Q. Had you any conversation with Mr. Watson, as to the manuscript from which those were printed?

A. No, I had no conversation with Mr. Watson about any manuscript.

Q. Had you no conversation with him at all, when he fetched away the bills?

A. I might have said something, but I cannot call to remembrance what conversation we had; I dare say we conversed about politics, as well as about the bills.

Q. My question was, whether you had any conversation about the bills?

A. No; about Mr. Castle, I had.

Q. You took none of them yourself to any place?

A. No; no further than delivering them to people who called.

Q. Were you ever paid for the printing the latter bills?

A. No; I was never paid for the latter ones.

Q. Were you paid for the former ones?

A. Yes; I was paid by different individuals who brought me the money; Mr. Castle brought me some money, for which I gave him a receipt.

Q. You cannot call to mind any other individuals?

A. No, I cannot.

Cross Examined by Mr. Serjeant Copley.

Q. What became of the manuscript for that last bill?

A. I believe it was sent or given to one of the persons.

Q. Do you know, yourself, what has become of it?

A. No. I do not.

Q. When did you last see it?

A. I have not seen it since the time it was composed, that I recollect.

Q. At the time it was composed, it was in your shop?

A. Yes, of course it was.

Q. Since that time you have not seen it, nor do you know what has become of it?

A. No.

Q. When the first order was given you, who delivered you the manuscript;—Preston, I think you said?

A. No, I did not say Preston, there were three other with him, which of them it was I cannot say, Mr. Watson was present.

Q. This manuscript being produced, was it read over in his presence, or did he see it before it was delivered to you?

A. I read it over.

Lord Ellenborough. Did you read it alone?

Mr. Serjeant Copley. How did you read it over?

A. The same as I would any thing else.

Q. To yourself?

A. No, I read it out.

Q. Can you take upon yourself to swear that Watson heard you?

A. I think I can take upon myself to swear that he did.

Q. Do you take upon yourself to swear that he heard you?

A. I do really believe he must have heard me.

Q. Will you take upon yourself to swear that he heard you?

A. I have already sworn, and I cannot go any further.

Q. What have you sworn?

A. That he was present when the manuscript was given to me.

Q. Was it read over so that you can take upon yourself to swear that he heard its contents?

A. It is impossible to swear that a man heard, for a man may turn a deaf ear to what is read.

Q. Will you swear that he heard it?

A. I cannot understand the meaning of the word swear further.

Mr. Justice Abbott. I understand him to swear that Watson was present, and that he read it out.

Mr. Serjeant Copley. My question to him is, whether he is satisfied Mr. Watson must have heard it.

Lord Ellenborough. That is impossible; he has said all a man by possibility can say, that he believes he heard it; that he pronounced it so loud, that a person must, he thinks, have heard it.

Mr. Serjeant Copley. What I ask him, and what I want to know is, whether he believes Mr. Watson heard it?

Lord Ellenborough. That he has said already, that he believes he heard him; but if a man swears that another heard it, he would not be believed, he would be thought to be rash.

Mr. Serjeant Copley. I wish to know whether there is any misapprehension upon this subject, and would repeat the question.

Lord Ellenborough. Oh, certainly.

Mr. Serjeant Copley. Upon the oath you have taken, do you believe Mr. Watson heard it?

A. The only thing I could do would be to read it as I read it then, and then their Lordships and the Jury may judge whether he must not have heard it.

Q. Will you listen to the question? Do you believe that Mr. Watson heard it?

A. It is impossible I can swear that another heard it.

Q. The question is not that, and you must understand the question.

Lord Ellenborough. The question now put to you is not of that description which might be objectionable; but the question is, whether you swear that you believe he heard it.

A. Certainly.

Mr. Serjeant Copley. So as to be aware of the contents of it.

A. Yes.

Q. Have you been examined before as to these bills?

A. Yes, at No 5, Stone Buildings.

Q. Was that the only time?

A. Yes, it was.

Q. That was at Mr. Litchfield's Chambers, I presume?

A. Yes, I believe it was.

Q. You have not been examined before the Grand Jury?

A. No.

Q. When was it you were examined?

A. On Saturday week, I believe.

Q. When were you first called on?

A. About two days before I had a subpœna left me.

Mr. Topping. If your Lordship pleases we will have the *bills read?*

The following Bill was read.

At a Meeting held at the *CARLISLE, SHOREDITCH*, on Thursday Evening, the 7th of November, *Inst.* it was determined to call a

Meeting

OF THE

Distressed Manufacturers,

Mariners, Artizans,

AND OTHERS OF THE

Cities of London, Westminster, the Borough of Southwark, and parts adjacent, in

SPA-FIELDS,

On Friday 15*th Inst.* at 12'Clock,

To take into Consideration the propriety of Petitioning the Prince Regent, and the Legislature, to adopt immediately such means as will relieve the sufferers from the Misery which now overwhelms them.

JOHN DYALL, Chairman.
THOMAS PRESTON, Secretary.

Seale and Bates, Printers, Tottenham-Court-Road.

The Manuscript was read.

Mr. Topping. Now the large one.

Mr. Serjeant Copley. I submit to your Lordship, that the Counsel for the Prosecution are not in a situation, yet, to read the large one, he has not yet given any account of the manuscript, he cannot say whether it was delivered to the party or not.

Mr. Justice Bayley. A great many of those were carried away by Watson himself, therefore, whether there is any manuscript or not, does not signify.

Mr. Serjeant Copley. My Lord, I submit, that is not sufficient, we have had no notice to produce the manuscript of this.

Mr. Topping. Do you mean to say you do not know what became of the manuscript from which the last was printed?

A. I think it was given to one of the persons who came for the first bills, to see whether the copy was right, there were 500 given at one time, in the first instance, and I am pretty sure the copy was given with them.

Lord Ellenborough. Do you offer it now then?

Mr Gurney. At a future time, my Lord, we will offer it.

Lord Ellenborough. Are not they all made originals, when Watson took away some of them?

Mr. Gurney. I should think, my Lord, when Watson took away so many of them, that that made them all alike originals; but, when we can prove the fact, it is not worth while to be arguing points.

John Crisp, sworn.

Mr. Wetherell. My Lord, I object to this witness being examined, and that, on the ground that he purports to be a witness, whose description in the printed list delivered under the Statute of King William, stands thus, "John Crisp, lately abiding at No. 3. Tyler's Court, Wardour Street, in the county of Middlesex, Grocer." My Lord, the objection

I make is this, that the Statute of 7 Ann, cap. 21. sec. 11. requires, " that when any person is indicted for High Treason, a list of the witnesses who shall be produced on the trial for proving the said indictment,—of the Jury, mentioning the names, professions, and place of abode, of the said witnesses and Jurors, shall be given at the same time that the copy of the indictment is delivered to the party indicted, and that copies of all Indictments for the offence aforesaid, with such lists, shall be delivered to the party indicted, ten days before the trial." Your Lordship will see, therefore, that the exigency of this clause requires the names, professions, and places of abode of the witnesses to be described. Now, the description of the witness, as it stands in this list (for I can see only one person of the name of Crisp, consequently there can be no doubt that he is the person designated,) is " John Crisp, lately abiding at No. 3. Tyler's Court, Wardour Street, in the county of Middlesex, Grocer." Here is, therefore, no description of the place of his residence. Your Lordships will perceive, that the terms of the Statute of Queen Anne, have not been at all complied with, in not stating his residence, but without entering into the question, how far any substitution of description would answer, I say there is no such substitution of the actual description as would answer the purpose of description. The term is *lately* abiding at,—now that is no definite description of time,—it may be two months, or a year, one can hardly, in common language, or in law, give a definition to the terms lately abiding at,—they must depend alone on the ideas of the person using that description.

Your Lordships will give me leave to state, that I conceive this is not merely a question, turning on a matter of form,—if it were, it would be equally of force, where the law has required it, just as if a bill of indictment were delivered nine days instead of ten; but when this objection is examined, it is not a mere objection of form, but it is an objec-

tion turning upon the non-compliance with the requisites of this Statute, a failure and breach of which throw into danger the fairness of every trial for High Treason, for the object of the Statute of Queen Anne, in requiring an identical description of the witness, and his residence was, that that may operate as a notice to the person accused, that he may make all the enquiries which he may conceive conducive to his defence, but if you do not give the person's residence, he cannot use those means of enquiry, which it was the peculiar object of this Statute to give to him, and I apprehend, the more that circumstance is considered, the higher will appear to be the value of this objection to the witness;—if a witness is described as lately living at such a place, it is impossible for the person accused to make those enquiries which the Statute meant he should, as to the person to be examined respecting the matters, to which he is likely to be called in prosecuting the enquiry,—what the person is—what he is supposed to know—what his character is, and all those matters directly or indirectly, remotely, or nearly affecting the defence.

Your lordship will allow me to press the objection further. If this is a competent description for one witness, it is a competent description for all the witnesses; and the 250 witnesses in this list, may be all described, not with their actual places of residence, or where they may be found, but under this mysterious, uncertain, as I may express it, anonymous place of residence. All may be left in darkness, with respect to the means the prisoner has of searching them out. Under these circumstances, I would place this in two ways—if it was merely a matter of form, I would submit that he cannot be examined; but, secondly I submit it is not a question of form, but turning upon the substance of the defence, that the prisoner is debarred and shut out of the very species of defence which the law gives him by the want of description.

Lord Ellenborough. When it is said *lately*, that must be with reference to the time when the list was delivered; now in all sort of reason it must be almost always in its nature lately, unless the person delivering the list is actually at the place at the time;—the place of abode expressed must in sense and reason be that which it has been lately, but that must be made to appear, therefore it will be proper to enquire, as a matter of fact, when he was resident there.

The witness was sworn upon the voire dire.

Mr. Gurney. Did you lately, before the month of May, reside in Tyler's Court, Wardour Street?

A. I did.

Lord Ellenborough. When was the list delivered?

Mr. Gurney. On the 5th of May? How long before the 5th of May did you quit that residence?

A. About three months previous.

Q. Had your affairs been embarrassed?

A. They were rather so, which induced me to leave?

Q. Were you at the time keeping out of the way, on account of any difficulties you were in?

A. Not any pecuniary difficulties immediately, but I considered it a matter of convenience to shift my residence at that time.

Mr. Justice Abbott. He has not mentioned the number.

Mr. Gurney. What number was it you lived at?

A. No. 3.

Q. Was it a grocer's shop?

A. I did not carry on my business at that place, that was my private residence, but that has been my business through life.

Q. How long had you resided there?

A. It might be between three and four months, or longer than that, a short time longer, I cannot speak to any fact immediately impressing it upon my recollection.

Q. After you had quitted that place were you discovered by the Solicitor for the Treasury, till after the 5th of May, until after you had seen your name printed in the list in the newspapers?

A. It is within this month past I received a subpœna in consequence of having seen my name in the paper, and having heard that there were officers looking after me, I deemed it advisable to go to Bow-Street, and give my name and residence.

Q. Was that after the 5th of May?

A. Yes it was?

Q. Do you mean after your name was published in the newspaper as a witness?

A. Yes it was, that was the first I knew of the present proceedings, and my being a witness.

Mr. Serjeant Copley. You say you have resided at this place about three months.

A. Rather more than that.

Q. And that in point of fact you had left it three months before the 5th of May?

A. No, not so long as that.

Q. You told my learned friend, you had quitted this place three months before the 5th of May.

A. I must beg not to be understood to confine myself to a particular week.

Mr. Justice Abbott. I did not understand whether it was three months before the 5th of May, or three months from the present time?

Mr. Serjeant Copley. I understood three months previous to the 5th of May.

A. Yes, I believe it was so.

Q. Will you have the goodness to tell us where you did reside in the early part of May,—where you had lived for a month before that?

A. I took a lodging at Blackwall.

Q. You went there from your house in Tyler's Court?

A. Yes.

Q. Did you reside there from the time of your leaving Tyler's Court?

A. I remained there about a month, I should think, or not longer than that; it was at Mill Wall.

Q. Were you residing there on the 5th of May?

A. I cannot say, really; it is a matter I have never thought seriously about.

Mr. Justice Bayley. You can answer whether you removed from Tyler's Court there?

A. I remained there about a month, and then I removed to where I am now.

Mr. Serjeant Copley. Where is that?

A. At Chelsea.

Q. You went from Tyler's Court to Mill Wall, and resided there till you removed to Chelsea?

A. Yes.

Q. Did you ever carry on the business of a Grocer, in Tyler's Court?

A. Never; I answered his Lordship that just now.

Mr. Gurney. Where did you go to from Tyler's Court?

A. To Mill Wall.

Lord Ellenborough. Grocer is your business and profession, but not one you carried on there?

A. Just so.

Mr. Justice Bayley. Was it known in Tyler's Court, where you were gone to?

A. No.

Q. Did you leave word?

A. I did not.

Mr. Gurney. How long did you stay at Blackwall?

A. About a month.

Q. Where did you go from thence?

A. To Chelsea.

Q. Coming across London to Chelsea?

A. I will recollect myself for a moment; there was a short time, about a fortnight or three weeks intervened, that I was at Ratcliffe Highway, and then I went to Chelsea; I have been six or seven weeks at Chelsea.

Q. Then about the 5th of May you went to Chelsea, I suppose?

Mr. Serjeant Copley. No, your inference is quite incorrect, he must have been at Chelsea before the 5th of May?

A. No.

Mr. Gurney. How long have you been at Chelsea?

A. Six weeks; I was absent from Chelsea a short time, a short distance in the country, but that is where I have resided for the last two months nearly.

Mr. Gurney. Were you a lodger there?

A. Yes.

Q. And you had come from Ratcliffe Highway there, having gone to Ratcliffe Highway from Poplar, and from Tyler's Court to Poplar?

A. Yes.

Q. You did not leave word where you went to, when you left Tyler's Court?

A. No; it would not have answered the purpose if I had

Lord Ellenborough. Was Tyler's Court the last ostensible place where you were known?

A. I never have concealed myself, but I did not wish i should be known where I went to.

Lord Ellenborough. I do not ask whether you locke yourself up, but you did not state where you were going to

A. I did not.

Mr. Serjeant Copley. I submit to your Lordship, on th account the witness has given, it is clear he cannot b examined; I am quite sure that your Lordship will be o *opinion,* that this is not a formal objection; the provision

of the Statute of Anne, were considered as necessary provisions to protect a party standing in the situation of the prisoner; your Lordship sees how anxious the Legislature is, that every possible information should be given to the prisoner, in order that he might make all necessary enquiries with regard to the witness, not only as to his past conduct—

Lord Ellenborough. Do you give any further account of his residence?

Mr. Gurney. No, my Lord, no further.

Mr. Attorney General. The case must certainly stand, with respect to this witness, as it does at present. We enquired at this place, Tyler's-court, where it is said he is lately abiding; but not getting any information there, we have not enquired at any other place.

Lord Ellenborough. Do you give any evidence of any enquiries carried on, in order to give the most perfect information you could, as to the place of his residence?

Mr. Attorney General. My Lord, I have no evidence upon that subject, therefore if your Lordships think that this is not within the provisions of the statute, I would not press his examination.

Lord Ellenborough. You have no evidence of any enquiries made respecting his place of abode?

Mr. Attorney General. No, I have not, my Lord.

Lord Ellenborough. Then it does appear, that that was not the latest place of residence; and as it does not appear that any endeavour has been made to find him out, after he ceased to reside there, we think he cannot be examined.

George Lewis sworn.

Examined by Mr. Gurney.

Q. Are you a hackney coachman?

A. Yes.

Q. On the 15th of November last were you driving your hackney coach?

A. Yes.

Q. Were you taken by any persons to Spa-Fields?

A. Yes.

Q. Do you know any of the persons who went with your coach to Spa-Fields?

A. I should know one gentleman if I were to see him.

Q. Was he on the box with you?

A. Yes.

Q. And the others in the inside?

A. Yes.

Q. Have you since seen the gentleman who went on the box with you?

A. No.

Q. Which should you know?

A. One of those inside.

Lord Ellenborough. Were there more than one inside?

A. Two inside.

Mr. Gurney. Will you look whether you see among those persons any of those you took in that coach?

A. No, neither one of those.

Q. What part of Spa-Fields did you go to?

A. Into the middle of Spa-Fields.

Q. Do you know the Merlin's Cave?

A. Yes; I stopped before I got to the Merlin's Cave.

Q. Did either of the persons who went with you, have any stick or wand?

A. No; the man who went on the box had a wand.

Q. When you arrived in Spa-Fields, was any thing done with that wand?

A. No, not at first.

Q. No matter, whether at first or at last.

A. There was a flag tied to it.

Q. What sort of a flag?

A. There were different colours, I do not know what was upon it.

Q. How many colours were there?

A. I do not know.

Q. Did any person speak from the top of your coach?

A. Yes.

Q. Who was that?

A. Mr. Parkes.

Q. Was there a large concourse of people there?

A. Yes.

Q. And a Mr. Parkes made a speech from the top of your coach?

A. Yes.

Q. Afterwards did any other person begin a speech from your coach?

A. No; I was ordered to drive to the Merlin's Cave.

Q. Did any person then begin any speech from the top of your coach?

A. No.

Q. Did Mr. Hunt come afterwards?

A. Yes, he did afterwards.

Q. Did he address the people?

A. Not from my coach, from a chariot.

Q. Did he descend from the chariot.

A. Yes, and went into the house.

Q. Did he address the people from the house?

A. Yes.

Q. How many persons got into your coach to go away?

A. Four.

Q. What became of you?

A. They took my horses off?

Q. The mob?

A. Yes, and dragged my coach till they run it against a brick wall.

Q. Upon that, what became of the persons that were in the coach?

A. I know not, they jumped out.

Q. They left you?

A. Yes.

Q. Then you were not paid your fare?

A. No.

Q. Upon that did you go to the Hotel in Bouverie street

A. Yes.

Q. Did you go into the room in which Mr. Hunt was

A. Yes, and saw Mr. Hunt.

Q. Whom did you see with him?

A. There were several gentlemen sitting in the room.

Q. Have you since seen any of them again?

A. No, not one.

Q. Did you afterwards go to Greystoke Place?

A. Yes, with Mr. Parkes.

Q. Did you there see either of the persons you had seen with Mr. Hunt?

A. No.

Q. Recollect yourself.

A. I saw four men, when I went to Greystoke Place.

Q. Who were they?

A. There was a young man, and one who said his name was Hooper, and there were two others.

Q. Had you seen Hooper before at the Hotel in Bouverie street?

A. No, I had not.

Q. Look and see whether you see Hooper there, or the young man?

A. No, I do not see any one who said his name was Hooper, at Greystoke Place?

Q. Do you see there either of the persons whom you saw at Greystoke Place?

A. No, I do not.

Mr. Gurney. I wish the warders would just move their heads.

Mr. Wetherell. If he can find them out himself he may, but I must object to that.

Mr. Gurney. I apprehend I am correct.

Mr. Wetherell. I apprehend not.

Lord Ellenborough. You may ask in the most direct terms—you may say look at the prisoners.

Mr. Gurney. In ordinary cases, they are standing at the bar by themselves; here the witness is confounded by the number of objects. Will you look and see, whether either of the persons sitting in that direction is the person you saw in Greystoke Place.

A. I do not recollect him.

Cross-examined by Mr. Wetherell.

Q. How near did you drive up to Greystoke Place?

Lord Ellenborough. As this examination has proved abortive, it is in your discretion whether you will cross-examine. I cannot see what may be the bearing of it—you will use your own discretion.

Mr. Wetherell. We shall have so many more witnesses from Spa Fields, my Lord, that I will postpone any question I may have to put.

John Monkhouse, sworn.

Examined by Mr. Richardson.

Q. I believe you are the person who keep the Merlin's Cave Public-house, in Spa Fields?

A. Yes.

Q. Do you remember a meeting in Spa Fields, on the 15th of November last?

A. I do.

Q. We have been told there was a Hackney Coach came there with persons in it; before that time did any persons come to your house on foot?

A. Yes, before the coach arrived.

Q. How many?

A. I suppose there might be to the amount of a dozen.

Q. Do you know the names or persons of any of those that came?

A. There was Mr. Preston and Mr. Dyall.

Mr. Justice Bayley. Does he know them by name, or by person?

Mr. Richardson. Do you know them by name, or by person?

A. By both.

Q. Do you see Mr. Preston now in Court?

A. That is Mr. Preston, *(pointing to him.)*

Q. Did you learn from them whether they had had any thing to do in calling the meeting?

A. No, I did not.

Q. To what part of your house did they go?

A. They went to the front room up stairs.

Q. Fronting towards the Field?

A. Yes.

Q. How did they employ themselves till the others came?

A. They called for pen and ink, and they were writing for a considerable time.

Q. Did they remain there till the time when Mr. Hunt came?

A. I saw them there several times, and I believe they did remain there.

Q. Did Mr. Hunt address the people there?

A. Mr. Hunt addressed the people there; but he addressed them in the field from a Coach before he came in.

Q. Did he afterwards come in?

A. Afterwards he came into the house, and forced his way up stairs.

Q. What do you mean by forced his way up stairs?

A. I endeavored to stop him, by speaking to him, and told him it would not be agreeable to me to suffer him to go up stairs, he said, it was of no consequence, he should go up.

Q. What further was done by you, or by them?

A. He went up stairs, and one of the blinds was cut, and

the beading taken from the side of the window, and the window taken out.

Q. By the persons who were there?

A. Yes.

Q. Can you state who the persons were who did that?

A. I was told—

Q. You must not say what you were told.

A. I cannot say myself who the persons were.

Q. Were you so told in the presence of Preston?

A. No.

Q. Do you know the person of either of the Watsons?

A. I was told—

Q. Do you see here beside Preston, any body who was there, do you know the Person of Mr. Watson, the Prisoner now on trial?

A. No, I do not.

Q. What persons had you at your house beside, on the 15th of November?

A. Only Mr. Hunt, a person of the name of Clark and Dyall; I did not see Preston there.

Cross-examined by Mr. Wetherell.

Q. You did not like Mr. Hunt coming up into your room?

A. I did not.

Q. Did Mr. Hunt make a speech from the window of your room, after he spoke from the coach?

A. Yes.

Q. Did you hear that speech?

A. I did not hear the whole of it; I was ill, I heard a part of it.

Q. What was the part of it?

A. I cannot say that exactly.

Q. Was it a speech exhorting the people to consider of their grievances, or any thing of that kind?

A. I believe it was.

Q. Can you recollect any of the particular expressions; were you near enough to have heard the whole of it, or was it from illness you did not hear it?

A. I was near enough, but from the confusion in the house, I could not particularly attend to it.

Q. Do you recollect Mr. Hunt stating to the people, that the public charity offered to them was an insult?

A. No, I do not.

Q. Do you recollect his stating any thing to that effect?

A. I do not.

Q. Were you attending to it sufficiently to give an account?

A. No, I was not.

Q. If you say that, I will give you no further trouble, that you were neither near enough nor attentive enough.

Lord Ellenborough. He was neither near enough nor attentive enough to give an account of it.

Mr. Wetherell. Do you recollect Mr. Hunt's saying, that your house was a bad place to speak from?

A. No; but I recollect going to Mr. Hunt and saying, that they should not have cut out my window.

Q. You do not recollect his saying, that your house was a bad place to speak from?

A. I do not.

Q. Did you say any thing to Mr. Hunt to prevent his coming to speak from your house again?

A. Yes.

Q. Did you give him notice that he should not again speak from your room?

A. Yes; on the first meeting I told him he should not speak from my house, either he or any other man.

Q. Did he afterwards force his way up into the room?

A. He was up at the window at that time.

Q. Did you tell him, between the two meetings, that he *should not* speak there again?

A. I went to him at the old Hummums in Covent Garden.

Q. Be so good as to tell us what you said to him about his speaking, or not speaking, from your house?

Mr. Attorney General. What he said to Mr. Hunt at that meeting on the 15th, I do not object to; but he cannot state any thing which passed afterwards.

Mr. Wetherell. Then I will confine it to the fact;—did you prohibit his speaking from your house?

Lord Ellenborough. Unless you call Hunt, and prove that he communicated it to the others, it comes to nothing; you mean to say that they were driven to procure a waggon, by being refused the use of this house, I suppose.

Mr. Wetherell. Yes, my Lord, and procuring the waggon is charged as an overt act of treason.

Lord Ellenborough. But put it as a matter of fact.

Mr. Wetherell. I put it to him as a matter of fact, whether he did not prohibit their coming again.

Lord Ellenborough. But it must be proved to have been known to them, or it cannot be supposed to have influenced them.

Mr. Wetherell. At the time Mr. Hunt spoke was there a flag in the room?

A. There was.

Q. Was it near him?

A. Close to his right hand.

Q. Was it possible for Mr. Hunt to have avoided seeing that flag?

A. I should think impossible.

Q. Was there an inscription on that flag?

A. There was, but I cannot state what it was.

Q. What colour was it?

A. It was different colours, I cannot say what colours; when I told Mr. Hunt he should not speak out of my window, neither he nor any other man, there was a person

at each side told me that they had taken forcible possession, and that I should have nothing to do with it, and that I might go about my business.

Q. Did Mr. Hunt take possession forcibly?

A. Yes; but he was not one of the persons who said that.

Q. Was the person who carried the flag one of those who forced his way up with Mr. Hunt?

A. I cannot say.

Q. Do you know who was the man who had the flag?

A. I cannot say.

Q. Do you know a person of the name of Castle?

A. I cannot say that I do.

Q. Did the person who forced his way up, use any particular expression?

A. I cannot say.

Q. Was there any Magistrate in your house?

A. There was a Magistrate after Mr. Hunt had begun to speak.

Q. Did the Magistrate come up into your house?

A. Yes.

Q. Was Hunt speaking when the Magistrate came up?

A. He was.

Q. Who was the Magistrate?

A. I recollect Mr. Raynsford being there.

Q. Was Mr. Raynsford in a situation to hear Hunt's speech?

A. I should think he was.

Q. Could he avoid hearing Hunt's speech?

A. I should think not.

Q. What time did the business last?

A. It began at two, and it lasted, I think, till five.

Q. Was the flag displayed out of the window?

A. Yes.

Q. The casement was taken out of the window?

A. Yes.

Q. Could a person, who stood in the back part of the room, see the flag displayed out of the window?

A. He might see it perhaps.

Q. Was it in such a situation, that a person looking towards the window might have seen it?

A. The person nearest the door could not see it, there were so many people in the room, and some on the tables.

Q. Supposing Mr. Raynsford to be coming up towards your house, must he have seen the flag if it was out of the window at that time?

A. He must have seen it.

Q. Had you any police officers in your house at that time?

A. Yes.

Q. Whom do you recollect?

A. A person of the name of Wood, and one Martin.

Q. How many constables and police officers were there?

A. There were a great many constables; for I employed a great number of persons myself, for fear of any accident.

Q. How long do you suppose they were in your house altogether, during the going on of this speaking?

A. From two o'clock till about five.

Q. Did you see any other magistrate there, except Mr. Raynsford?

A. I do not know of any other.

Q. Who spoke besides Mr. Hunt?

A. That I do not recollect.

Q. Was there no other orator who harangued the mob from your window besides Mr. Hunt?

A. Yes, but I do not recollect their names.

Q. Was Mr. Hunt's speech cheered and huzza'd by the mob?

A. Yes.

Q. Was it a good deal or not?

A. A great deal—several times.

Q. Repeatedly?

A. Yes.

Q. How many people do you suppose might be collected round your house, while orator Hunt was going on?

A. It would be impossible for me to say.

Q. How many do you think?

A. Some people said, there were twenty thousand.

Q. Do not tell us what others told you, but give us your own judgment?

A. I should think there might be that number.

Q. Twenty thousand?

A. Yes.

Q. Do you remember Mr. Hunt stating any thing on the subject of adjourning this meeting, on the 15th of November, in your hearing?

A. No.

Q. Was there any discussion in your room about adjourning it to any future day?

A. I cannot state that.

Q. Did you hear it generally stated, there was to be an adjournment of that meeting?

A. I heard that stated generally.

Q. Do you recollect the day being stated, when the adjourned meeting was to be held?

A. The 2d of December, I think, but I cannot say.

Q. Though you did not hear Mr. Hunt state any resolution, did you hear him say it was to be on the 2d of December?

A. I did not.

Q. Was this stated from your room loud enough for the by-standers to hear it, or only the persons in the room to hear it?

A. That I cannot say, if they heard one they must have heard the other.

Mr. Michael John Fitzpatrick sworn.

Examined by Mr. Shepherd.

Q. Were you at the Spa-Field's meeting on the 15th of November last?

A. I was.

Q. Were you at the Merlin's Cave, in a room there?

A. I was.

Q. Were there many people in that room?

A. A great number.

Q. Do you know the persons of either of the Mr. Watsons?

A. I know both the old and the young Watson.

Q. Were they there?

A. They were both there.

Q. Do you know the person of Mr. Preston?

A. I do.

Q. Was he there?

A. He was there.

Q. State what you observed Preston to do there?

A. Preston was in the room, and a man of the name of Dyall, Dyall had some papers in his hand, and they wanted him to get on the table, and read the resolutions. He got on the table, and was prevailed on, by persons in the room, to come down again. Shortly after that, Mr. Hunt came into the room, and Dyall did not read the resolutions he had in his hand.

Q. Was it stated why he did not?

A. It was whispered about.

Q. Was Mr. Watson there during the whole of that time?

A. Mr. Watson was there; I saw him just as Mr. Hunt came into the room.

Q. Did Mr. Hunt move any resolutions?

A. He was there, and moved a string of resolutions; he spoke a couple of hours.

Q. Was he there at the first part of the time?

A. He came in subsequently.

Q. Did he move any adjournment

A. He did.

Q. What day did he propose?

A. I think the first day of the meeting of Parliament.

Q. Was any other day moved as an adjournment day by any other person?

A. Young Watson came forward, and moved instead of that day it should be that day fortnight, but afterwards it was said Monday fortnight.

Q. Did Preston make any observations at that time with respect to the meeting?

A. Yes, I had been to the window, and I heard Preston say, this was a most glorious day, for there were a hundred thousand people before him——a hundred thousand countrymen.

Q. Was Watson in the room during the whole of this you have stated?

A. He was.

Q. This was on the 15th of November?

A. It was on the 15th of November, the first meeting.

Q. Then the Monday fortnight would have been, what?

A. The Monday fortnight would have been the second of December, I believe.

Cross-examined by Mr. Serjeant Copley.

Q. You have told us of something that passed in the room before Mr. Hunt came there?

A. Yes.

Q. Something that passed between Dyall and Preston?

A. Yes.

Q. But you say you did not see Watson till Mr. Hunt came into the room?

A. I did not observe him before.

Q. Then you cannot say Watson was there, when the business took place in which Preston and Dyall were concerned?

A. No.

Q. Watson you first observed when Mr. Hunt came into the room?

A. I observed them both standing behind Mr. Hunt. I stood next to Watson, between him and his son.

Q. Besides Mr. Hunt and Watson, there were a great number of persons that accompanied Mr. Hunt?

A. A great number.

Q. You say Mr. Preston made some observations as to the number of people, was that after Mr. Hunt had spoken two hours?

A. Yes.

Q. You tell us that something was said about the day of adjournment; Watson proposed it should be Monday fortnight?

A. First of all that day fortnight.

Q. Afterwards somebody moved it should be Monday fortnight?

A. No, it was mentioned to him it should be Monday fortnight.

Q. By whom?

A. I do not know.

Q. Was that adopted by Mr. Hunt, as the day to which the adjournment should take place?

A. It was proposed by young Watson, and seconded by some other person.

Q. Was it adopted by Mr. Hunt—did he make it part of his resolutions?

A. No.

Q. Were there not resolutions at that time proposed to the persons assembled by Mr. Hunt?

A. The resolutions had been proposed by Mr. Hunt before, and this was an amendment by young Watson.

Q. Did Mr. Hunt propose it to the people present, to know whether they would adopt it?

A. It was certainly put.

Q. By Mr. Hunt?

A. By the chairman.

Q. Who was the chairman?

A. Mr. Clarke.

Q. And it was carried by the meeting?

A. Yes.

Q. Was it not afterwards promulgated as part of the resolutions of the day?

A. There was nothing further said, after that it was put and carried.

Q. I want to ask you whether, when this adjournment was proposed by Mr. Watson's son, Mr. Watson did not interfere to prevent it?

A. No, the elder Mr. Watson had a roll of paper in his hands at the time.

Q. When this alteration, with respect to the day of adjournment, was proposed by young Watson, did not Mr. Watson, senior, interfere to attempt to prevent it?

A. No.

Q. Do you swear he did not do so, or did not you observe it?

A. I did not observe him interfere at all.

Q. You will not swear that he did not?

A. I will swear he did not interrupt his son—take hold of him, or stop him from proposing that motion.

Q. It was proposed as a motion, and carried by the persons assembled.

A. Yes.

Q. Was it debated at all, whether it should be adopted or not?

A. It was merely put by the chairman.

Q. Was it debated by any of the persons there assembled, whether that resolution should be adopted or not?

A. No, it was not.

Q. Immediately upon being announced it was adopted?

A. It was upon being put.

Mr. Shepherd. Was it proposed by young Watson as an amendment of Mr. Hunt's resolution?

A. It was.

Lord Ellenborough. I wish it to be understood, that the court expect that no part of these proceedings shall be published during the trial. The court of course must animadvert upon it if it is done.

Mr. Vincent George Dowling sworn.

Examined by Mr. Attorney General.

Q. Were you at the meeting that took place at Spa Fields on the 15th of November last?

A. I was.

Q. Where were you, in the Fields, or in the Merlin's Cave?

A. In the crowd, in front of the Merlin's Cave.

Q. In the Field?

A. In the Field.

Q. Were there a large number of persons there?

A. A very great number.

Q. Did you hear Mr. Hunt address the populace?

A. I did.

Q. From what place?

A. From the window of the Merlin's Cave public-house.

Q. Did you see any flag at that meeting?

A. I did.

Q. Where was that displayed?

A. From the window of the Merlin's Cave public-house.

Q. What sort of a flag was it?

A. It was a tri-coloured flag, green, white, and red.

Q. Was there any inscription upon it?

A. There was.

Q. Do you recollect what it was?

A. I do not recollect the express terms, but there was some reference to Justice, Humanity, and Truth. I cannot recollect the precise words, I should recollect them if I saw them, and could identify the flag.

Q. Was any day proposed to Mr. Hunt, as a day to which the meeting should adjourn?

A. Mr. Hunt proposed the first day of the meeting of Parliament.

Q. Did you hear any body, and if you did, who was it proposed any amendment to that?

A. The younger Mr. Watson first proposed, it should take place that day fortnight, but subsequently that it should take place the Monday fortnight, which would be the 2nd of December.

Q. How long did they stay there?

A. From the first to the last.

Q. Yes?

A. I cannot justly call to my recollection, but from 1 o'clock to about 5, to the best of my recollection.

Q. You left Spa Fields when the other persons did; did you afterwards attend the meeting on the 2nd of December?

A. I did.

Q. Had you seen any advertisements or placards stuck up, advertising that second meeting?

A. I had.

Q. Will you have the goodness to look at that? *(Handing a placard to the witness.)*

A. That I believe to be a copy of the placard to which I allude, and which I saw on the walls, antecedent to the meeting.

Lord Ellenborough. Is this the one that was produced by Seale?

Mr. Solicitor General. Yes, my Lord.

Mr. Wetherell. I take it for granted, this thing will be brought home to the prisoner.

Lord Ellenborough. The contents of the large and of the small paper were stated to be the same.

Mr. Wetherell. No, my Lord, they are very different.

Lord Ellenborough. The contents appear to be the same.

Mr. Serjeant Copley. I took an objection, and the ground of my objection was, that we had not had notice to produce what Watson took away.

Lord Ellenborough. We shall wait till they have completed their proof as to that paper.

Mr. Serjeant Copley. It went off as Crisp was called.

Mr. Attorney General. I apprehend, with great deference to your Lordship, we are now in a situation to read that paper.

Lord Ellenborough. I think the printer stated, that he printed several hundred of them, specifying the contents, and that Watson took away five and twenty of them.

Mr. Wetherell. I allude to the large bills; it is proved the small ones were taken away, but we have no identification of the contents of the large one.

Mr. Justice Bayley. He stated that the contents of all were the same, and twenty-five of the large ones were taken away by Watson.

Mr. Wetherell. Yes, my Lord, but who brought the paper to be printed, is not proved.

Mr. Justice Bayley. If they are all originals, you may read any one of them, as well as the one carried away by Watson.

Mr. Wetherell. We have had no notice of the contents of the paper.

Mr. Serjeant Copley. These were printed from a manuscript. My learned friends were not able to give any account of this manuscript, therefore we contended they could not read

this copy of it. It was said Watson had taken some copies away; that was said in order to satisfy the court; but to let in this duplicate, I submit, Watson should have had notice to produce it. Your Lordship recollects a case, where there was a copy of a letter taken off by a machine, which would necessarily be a true copy, offered in evidence, but it was held, the party there must have notice to produce the original letter; our objection is, that the manuscript is not properly traced, or proved to be lost, and that it ought to be produced, or some account given of it.

Lord Ellenborough. He takes away twenty-five copies of one uniform impression, by which, he having come with Preston, recognizes them as having been printed under their orders.

Mr. Serjeant Copley. It does not appear that he came with Preston at that meeting. Castle ordered that paper.

Lord Ellenborough. Castle brought it with an order to print five hundred copies; Watson fetched away several, about twenty-five; then he adopts that, as done in the execution of some order he has given; and when he takes twenty-five or thirty out of a common impression, they must be supposed all to agree in the contents.

Mr. Justice Bayley. Your objection at one time was, that we could not receive this, because this is not the very document which was in the possession of Watson, and that Watson ought to have had notice in order to produce those twenty-five copies which he had carried away, and that until he had received that notice, any other evidence of the contents was secondary evidence. Now it seems to me, that that is not the case, for that every one of those which are worked off are originals in the nature and character of duplicate originals, with respect to which it is clear, you are at liberty to give one duplicate in evidence without giving notice to produce the others. There is another ground on which this would be made evidence.

Mr. Serjeant Copley. In the first place, the original manuscript was left with the printer, he gave no account of that, and we say, these are copies of that original manuscript, therefore being copies, and giving no account of the loss of the manuscript, he cannot shew they corresponded with the original. Then in the next place it is said, these are all duplicate originals, but in fact they are duplicate copies, and it by no means follows they are all alike because they are printed; it by no means follows, in point of law or in point of fact, and therefore I submit they cannot give them in evidence, unless we have notice to produce that parcel we took away, and if we withheld it, they might then shew it corresponded with those now produced; but that cannot be done in the first instance, without giving us notice to produce what we took away, they all being copies of one original, and I apprehend the rule of law is not varied by the use of machinery. According to the case of the letter copied by a machine there, there could be no mistake; but my Lord Ellenborough decided that did not vary the course of the law as to originals and copies; if they had given us notice to produce the one we took away, they might show this corresponded with that. My learned friends felt the force of the objection, and they endeavoured to supply it, because they called Crisp to supply it. Your lordships rejected his evidence, and therefore, my learned friends admit they feel weight of it, and I submit this paper cannot be read.

Mr. Justice Bayley. It is clear this is not produced in evidence to shew the contents of the manuscript; if it was, there would be considerable weight in the objection; but all these become originals, and the manuscript is thrown off and discharged: it is in evidence, that they are all from the same press, and therefore they must be the same.

Mr. Wetherell. The object of calling the witness first, was to bring the manuscript home to one of the conspirators.

Lord Ellenborough. In that they failed.

Mr. Wetherell. Then, my Lord, do not they fail in toto as to the use of it, because a placard can only be used as to the matter contained in it; the entire drift of producing the placard is, to shew it contained improper matter. My Lord, when I first took the objection, the witness said a person of the name of Castle brought the manuscript to be printed; I said this must go for nothing. I then understood it was put in conditionally, in order that the manuscript sent to the printer, might be brought home to the Prisoner at the Bar; and the Lord Chief Justice said, unless it were brought home, it was only an act done by Castle. The question is, how is the act advanced against the Prisoner? it is produced to shew it contained treasonable and seditious matters, or some other matters promotive of the matters charged in the Indictment; the prosecutor cannot say he does not produce it for relevant purposes; the matter charged is matter of treason and sedition; and the placard, it is stated, was calculated to promote those objects; the manuscript is brought home to none of the prisoners,—no copy of it is verified by the prisoners, but something which is not identified as a copy of the manuscript is put in;—for what? for no purpose but to be read; and I say they cannot produce it for the circumstance of the date, or any other circumstance whatever; but it is produced to shew the matter it contains,—that it contains matter promotive of the objects charged in the Indictment, and therefore it resolves itself into this circumstance; here is an improved copy of an alleged original, not brought home to any body.

Mr. Justice Abbott. Do you propose to offer any thing further, Brother Copley?

Mr. Serjeant Copley. No, my Lord.

Mr. Justice Abbott. I am of opinion this is to be read in evidence now. If it were offered, in order to shew the *contents* of the manuscript supposed to have been ori-

ginally delivered to the printer, it might be contended, perhaps, that sufficient evidence had not been given to let it in; but there is another view in which it seems to me sufficient has been done to allow this paper to be read: here is a meeting held at Spa Fields on the 2nd of December, at which it has been opened, and I suppose it will be proved, that Watson, and some other persons connected with him in this Indictment, were present; then in order to shew that Mr. Watson who was present at that meeting, knew the contents of a placard that had been posted about this town, relating to the meeting, and giving notice of it, this fact is proved, that the printer, having from his own head, if you please, printed a large number of papers exactly like that produced, delivered twenty-five of them into the hands of Watson, and that that took place on the 28th of November, four days previous to this meeting. Does not that shew that Watson knew the contents of this paper which was placarded about the streets, relating to that meeting, at which I understand he afterwards attended; if he had knowledge of the contents of the paper, it is evidence against him.

Mr. Justice Holroyd. I am of the same opinion. It is not a question of copy and original; whether a number of papers being printed from a manuscript, were agreeable to the manuscript, is not the question before the Court; but they were printed by the orders of two persons who came to the printer, and the prisoner took twenty-five copies away, that circumstance shews, there must have been an order given for these things, a part of which he comes and gets,—none of them are originals more than the others,—not those taken away more than those left behind, and the question is, whether this is sufficient proof that the Prisoner at the Bar took away part of the impression which was printed, and whether that may be proved in the way proposed,—it goes to shew his knowledge of the contents of these things,

and I am of opinion, for the reason I have given, that th paper may now be read.

Lord Ellenborough. To prove notice of the contents of newspaper, you prove, that the man had a copy of th paper, and you prove, by another, the contents,—it is a perpetual occurrence.

The Placard was read as follows :

ENGLAND

Expects every Man to do his Duty.

The Meeting in Spa-Fields

TAKES PLACE AT 12 o'CLOCK,

On Monday, December 2nd 1816.

To receive the answer of the PETITION to the PRINCE REGENT determined upon at the last meeting held in the same place, and for other important Considerations.

THE PRESENT STATE OF GREAT BRITAIN.

Four Millions in Distress !!!
Four Millions Embarrassed !!!
One Million-and-half fear Distress !!!
Half-a-Million live in splendid Luxury !!!

Our Brothers in IRELAND are in a worse state—The Climax Misery is complete—it can go no farther.

Death would now be a relief to Millions—Arrogance, Folly, a Crimes—have brought affairs to this dread Crisis.

Firmness and Integrity can only save the Country!!!

After the last Meeting some disorderly People were guilty of attacking Property of Individuals; they were Ill-informed of the object of the Meeti It was not to plunder Persons suffering in these Calamateous times in comm with others; the Day will soon arrive when the Distresses will be relieved.

THE NATIONS WRONGS MUST BE REDRESSED.

JOHN DYALL, Chairman.
THOMAS PRESTON, Secretary.

Seale & Bates, Printers, Tottenham Court Road.

Mr. Attorney General. You have already said, you had seen placards like this stuck upon the walls in different parts of the town?

A. I had.

Q. You went to the meeting on the 2d of December?

A. I did.

Q. Did you observe whether many people assembled there?

A. There were a considerable number.

Q. At what time of the day did you go there?

A. I went there about eleven o'clock.

Q. In the morning?

A. In the forenoon.

Q. Did you observe any waggon drawn into the Field?

A. On my arrival in the Field I went to the Merlin's Cave, where I understood the meeting was to take place; I ascended into the room, where the former meeting took place, and I perceived from the window a crowd assembling at that end of the Field next Cold-Bath Fields' Prison, in consequence of that observation, I proceeded from the Merlin's Cave to the spot where I saw the crowd assembling; on my arrival there I observed several persons, some of whom bore flags, one of them I recognized to be the same flag, which I had previously seen on the 15th, exhibited from the Merlin's Cave window; the second flag was of a smaller description—it was tri-coloured, and bearing the same colours with the larger one; there was a third man, bearing a banner, a large square frame, and a piece of white cloth, on which was inscribed the words—"The brave Soldiers are our Friends, treat them kindly." To the best of my recollection those were the words upon the placard: some of the persons assembled wore tri-coloured cockades, corresponding in colours with the flags which I have already alluded to. The centre of attraction seemed to be a waggon, which I then perceived for the first time; into this a great number

of persons ascended—there was considerable confusion; but after a little lapse of time I observed the prisoner Watson mount upon the edge of the waggon, and wave his hand, as if to intreat silence.

Q. Did you see any other persons in the waggon, whom you knew, or whom you recognized?

A. I saw Mr. Hooper, and I saw young Watson; Mr. Preston I saw subsequently—the elder Mr. Watson, the younger Mr. Watson, and Mr. Hooper.

Mr. Justice Abbott. You said, I think, that you saw Mr. Preston?

A. I did not see him till subsequent to the speech, he was then either ascending or descending, I could not tell which—he was elevated rather above the crowd: the elder Watson waved his hand, as if to intreat silence from the crowd around him, which was considerable.

Q. Were you near enough to hear whether he did address the crowd?

A. I was quite near enough; in fact, I was within, I suppose, ten yards of the waggon.

Q. Can you repeat to my Lord and the Jury, what he said, or any part of what he said, with perfect recollection.

A. I took a short-hand note.

Mr. Wetherell. I do not wish to occupy your Lordships' time improperly, but this is a point of considerable importance—whether a speech, of which a person has a short-hand note, ought not to have been set out as an overt act in the Indictment?

Mr. Justice Bayley. This is the evidence of the overt act.

Mr. Wetherell. I object, my Lord, that they have not stated the substance of the speeches, they only allege that there were speeches.

Lord Ellenborough. Did you ever know a statement of all that was said—has there ever been an instance in all times of a trial for High Treason, in which they have not

charged them under generalities, "divers speeches," and so on, and has there ever occurred an instance, in which a speech or a consultation was stated in its words.

Mr. Justice Bayley. You will recollect, in the Case of The King v. Francia, as far as I recollect, one of the charges was, that he wrote divers letters; and the objection was, that the contents of those letters were none of them stated; and the decision was, that they need not be.

Mr. Serjeant Copley. Your Lordship will allow me to state, that in that Case, the object of the letter was stated, that it was to invite the King of France to send Troops into this Country; and though the Indictment did not state the words, it stated the substance of them; in all the Cases cited, the substance of the letter has been set out.

Lord Ellenborough. The object?

Mr. Serjeant Copley. No, my Lord, the substance; to shew that letters were sent to the French King, for the purpose of inducing him to send troops to further particular objects which the party had in view. Will your Lordship allow me to refer to what is stated in Mr. East's Book, as the effect of the cases, it is in the margin. "Upon an Indictment for compassing the King's death, in which a treasonable declaration of the Prisoner was alleged as an overt act, but was only set forth in substance, it was objected in arrest of judgment, that the words of the declaration were not specified, but the Court unanimously held the Indictment sufficient; it was laid, that the declaration contained incitements, persuasions, and promises of reward, to induce the people to join in rebellion, which was an overt act of the Treason charged, namely, the compassing the King's death; and this being the substantial charge, it was sufficiently set forth in the Cases of Coleman and Lord Preston, the substance only and purport of the letters found upon them were set forth: in Staley's Case," which was in the reign of Charles the Second, I remember

paticularly now that the words were set out; "the words were spoken in French, and the purport of them was stated in Latin: in Francia's Case the like rule was laid down, that it is not necessary to set forth the letters themselves of a treasonable correspondence, it is sufficient to state the substance and intent of them, for they are evidence of the secret compassing and imagination of the heart: in Dr. Drake's Case, it was said by Lord Holt, that either the very words of a libel might be charged, but then the smallest variation which changed the word was fatal, or the substance and effect of it may be stated, and in that case, if the sense be rightly stated, it is sufficient:" now your Lordship sees, by adverting to this record, that the substance of these words, and these speeches, is not stated upon the record, but in general terms, that he made seditious inflammatory speeches; the Indictment does not profess to give the substance of any of those speeches, but the object of them is stated, and I think I can undertake to say, there is not a single instance to be found anywhere, where in an overt act of Treason———

Lord Ellenborough. Was there any instance in the Trials of Hardy or Horne Tooke, in which the letters or speeches were set out?

Mr. Gurney. No, my Lord, there was not.

Mr. Wetherell. The speeches there are not alleged as the Treason.

Mr. Justice Abbott. There were speeches and writings?

Mr. Gurney. Yes, my Lord, and letters; and Paine's Rights of Man were given in evidence.

Mr. Wetherell. Your Lordship will perceive that this point occurs on a Treason assigned for the first time under the Statute of the 36th of the King, under which there has been no Indictment; for in Despard's case, I believe, this Treason was not inserted in that Indictment.

Mr. Gurney. Yes, it was.

Mr. Wetherell. Under that act it is made Treason to conspire to levy war to force and compel the King to change his measures. Now with reference to that count it is material we should know, what this speech was, in order to know what those measures of the King were, which the conspirators proposed to compel the King to change; and it is introduced as one of the main overt acts of the whole. Your lordship will observe, there are three or four overt acts charged; the one hiring waggons, the next procuring waggons, the next is procuring the platforms on which the speeches were made;—the question then is, where the Treason alleged is conspiring to overturn the government, for one count is for a conspiracy to depose the king, in other words, to overturn the government; another for a conspiracy to compel the King to change his measures, whether the mode, being a speech made, it is not necessary to set out, if not the words, the substance of the speech at least—that the mob called on the King to equalize the distribution of property—that the mob called on the King to give a certain sum among the poor—or that the mob called on the King to give a reform in Parliament; and I am the more satisfied in my humble conception, that it is necessary within the Statute of King William, because, where the Treason alleged is to compel the King to change his measures, how can we know, whether that speech is adapted to effect it without knowing what the speech is to which it relates.

Lord Ellenborough. Can there be any doubt that this is evidence under the overt acts for levying war? it is evidence *quo animo*, the thing was done.

Mr. Wetherell. Your lordship sees the puzzle which we are in here. There are four Treasons here alleged, the like of which were never seen in the Crown Office before; if you can put four treasons into one record, it appears to me that the requisitions of the statute of King William are not

very well complied with. However, having stated this point to your lordship generally, I can only say, it does appear to me, with respect to many of the treasons here, to be a question totally new, and if the *corpus*, if I may so call it, of the treason, consist in a speech made, which speech made is to bring about the death of the King, which death of the King is to be carried into effect by force, within the meaning of the statute of King William, how can the party know what the overt act charged upon him is, unless the substance of the speech is set out upon the record.

Mr. Serjeant Copley. I do not know whether your lordship will allow me to suggest, that I do not object to this as it respects young Watson, that what I suggest is with respect to the elder Watson.

Mr. Wetherell. The substantive allegation there is, that Watson the younger leaped out of the waggon, and invited the persons present to follow him.

Lord Ellenborough. I am perfectly convinced that in all reasoning upon the subject it is sufficient.

Mr. Justice Bayley. I am entirely of the same opinion. In the case of the King *v.* Francia, the court laid down a rule very strongly applicable to this case. There the indictment stated as an overt act, "That the party did traitorously compose and write, and caused to be composed and written, several traitorous letters, notifying the intentions and resolutions of him the said Francis Francia, and the said other traitors, to move and levy war, and requiring aid in the said war of the said foreigners and other persons then in France," and then stating that they caused these letters to be sent. Now the objection there was, that the letters themselves ought to have been set forth, but the court decided that it was not necessary, and they decided it for this reason, that the overt act is sufficiently stated, and then the contents of the letters are only evidence of what that overt act is,

and if you set out the general nature of the overt act, it is also necessary for you to state the medium of the proof by which it is to be made out. Here it appears to me, that there is a sufficient statement of the overt act, that the party made seditious, and treasonable, and inflammatory harangues, and the particular terms of those harangues are evidence upon that overt act, therefore it appears to me, that the case of the King v. Francia, and other cases establish the principle under which this is clearly admissible.

Mr. Justice Abbott. I am also of opinion, that the overt act alluded to, is stated with sufficient certainty to allow the Court to receive this evidence; it is laid with as much certainty as has been usual on any former occasion, in relation to subjects of the same nature. In Hardy's Trial, there were "books, pamphlets, letters, instructions, resolutions, orders, declarations, addresses, and writings," stated to have been "composed, written, published, purporting, and containing therein, among other things, incitements, encouragements and exhortations, to move, induce, and persuade, the King's subjects to chuse, depute, and send, and cause to be chosen, deputed, and sent, persons as delegates to compose and constitute a convention." Here there is a charge, "that Watson, the elder, and Watson, the younger, did make, and with loud voices, utter seditious, inflammatory, and treasonable speeches and harangues, meaning and intending thereby,"—for the meaning and intending at the end of this overt act applies to all the remainder,—"meaning and intending thereby, to move, excite, cause, and procure the subjects of the King, so there then being to raise, make, and levy insurrection, rebellion and war against the King." The overt act is sufficiently certain, but if there were no such overt act in this indictment, I should still be of opinion, that what the prisoner has himself said with reference to the transaction then passing and going on, and in the course and progress of that transaction, must be evi-

dence received, as explanatory of those proceedings, and the part he was taking, so as to shew that that insurrection and riot, that afterwards occurred, was of such a particular nature, as to come within the clause of levying war.

Mr. Justice Holroyd. I am of the same opinion. I think that the overt act is sufficiently stated, and the object of it is stated, as well as the making speeches and harangues, it is stated by the words "meaning and intending by means of the several premises aforesaid, to move, excite, cause and procure the subjects of the King, so there then being to raise, make, and levy insurrection, rebellion and war against the King within this realm, and to subvert and destroy the Constitution and Government of this realm, as by law established." I do not see how this evidence could possibly be rejected, because there are several other overt acts of consultations, and conspiring to levy war to attack the Bank and Tower, and seduce the Soldiers, and in every count there is an overt act for levying war, and those speeches which are uttered by the defendant himself, go to shew the very nature and object of the conspiracy, at least they are offered in evidence, as having that tendency, and it is impossible to reject them, for they may shew the very nature of that conspiracy, and what the people were to do in consequence of those proceedings.

Lord Ellenborough. If there had been no overt act that bears upon this, it is an universal rule of evidence, that what a party himself says, may be given in evidence to explain his conduct, to which it bears any reference.

Mr. Wetherell. It is not in that way we put the objection, that it is not evidence, but that it is not proof of the overt act.

Lord Ellenborough. There is no occasion to discuss, that whatever comes from the mouth of man, may be evidence against that man, to shew the intention with which he acts.

Mr. Attorney General. There was no use in wasting this half-hour, if my learned friends admit that it is evidence.

Mr. Wetherell. I will waste an hour, if I think the objection a good one.

Mr. Attorney General, (to Mr. Dowling.) You state that you took in short-hand the address of Mr. Watson to the people?

A. I did.

Q. Have you got your short-hand notes here?

A. I have.

Q. Be so good as to read to my Lords and the Jury what it was he stated?

Mr. Wetherell. Pray, Mr. Short-hand Writer, when did you take that note?

A. I took it on the 2nd of December, in Spa Fields.

Q. When did you copy it out?

A. I copied it out the same evening?

Q. Is that the copy you made that evening?

A. No, it is not; this is the short-hand note I took, and this is a literal copy; the short-hand note I took with a pencil, and in the crowd, and perhaps having been taken six months back, it may be somewhat defaced, but I can read the short-hand note with a little difficulty, though certainly I could read the transcript with more ease; I will read the short-hand note if it is wished.

Mr. Justice Abbott. You made that transcript the same evening?

A. I made this transcript yesterday; I made another transcript the same evening.

Mr. Wetherell. Be so good as to lend us the transcript while you read it: I shall shew the short-hand writer is mistaken in one word at least.

A. It is very probable I may have been mistaken, from the circumstances in which I was; I can only say, that the note was as correct as it could be under the circum-

stances under which it was taken. Mr. Watson himself spoke first: "Friends and Countrymen, We are convened this day, in consequence of a resolution passed at our last meeting, to hear the answer to the petition, which we agreed to present to the Prince Regent. I cannot refrain from expressing the pleasure which I feel at this moment in addressing so respectable a meeting. The petition to which I allude, and which Mr. Hunt was deputed to present to the Prince Regent, was prepared, in the hope that his Royal Highness would give an answer to the cries of these starving thousands by whom he was addressed. I am sorry to inform you, however, that he has resolved to give us no answer—(*groans and hisses;*) it is useless therefore to take that course. This day we are called on to pursue another—(*cheers,*) 'England expects that every man will do his duty;'—we are called on because 'four millions of our countrymen are in distress, because as many more are embarrassed, and because a million and a half fear distress.'—While these miseries exist, how few enjoy splendid luxury? only half a million, as this placard expresses, are not either in fear of embarrassment or in debt. Under these circumstances I ask you, Friends and Countrymen, if the Ministers have done their duty in advising the Prince Regent not to hear our cries?—(*answer from the multitude, No, no.*) Has the Prince Regent himself done his duty?—(*No, no.*) Was there ever a more calamitous time in this country than this moment?—(*No, no.*) It is not only in this country that we are thus oppressed; our sister country, Ireland, has shared in our misfortunes: there the climax of misery has been brought to a close—there their sufferings cannot be extended further. Are we to go on from time to time, from month to month, from year to year, crying to the Father of his people, as he is called, in vain, for redress?—(*answer from the multitude, No, no.*) The present then is the time to do something—(*cheers and huzzas from the crowd.*)

What will men with the minds and hearts of Englishmen—will they continue thus for months and years to be starved?—(*answers of No, no.*) How then are we to be restored to our rights? Not by talking—not by long speeches—not by petition, for our petitions are not heard—(*reiterated cries of Bravo.*) It appears that we are placed in a state of bondage—the rights of civil society are not attended to—the calls of the multitude, from time to time, avail nothing—that Parliament, which was intended for the protection of the people, was invited to assemble together to take into consideration the distresses of these calamitous times—to consider in their wisdom, if they possessed wisdom, the situation in which we are placed, in vain. In this distressing situation they should have assembled together, and taken into consideration the prayers of the dying multitude, and not have been deaf to our cries—(*They ought—they ought.*) It must rest with ourselves now to consider how we shall relieve ourselves in these calamitous times—we have been truly told that trade and commerce are annihilated; but we still have the earth as our resource—the earth was by nature intended for the support of mankind, and is sufficient to place every man, in distress, in a comfortable situation. If a man has but a spade and a hoe to turn up his mother-earth, that will prevent him from starving. In the situation in which we are placed how is this to be done?—I will tell you, I have said that the bonds of civil society have been neglected—what then is our situation? They have placed us in a state of nature—they have neglected the cries of the hungry and starving people: not a day that we pass through the streets of this great metropolis, but we see people starvingg to death. Are they ignorant of this? If they are they ought not to be; but they are not. They have come to a resolution not to relieve us: they know full well, that the people are starving in every part of the kingdom, while they will admit of no measure to relieve them—

(*groans, and cries of Shame—Down with them.*) Will they now hear our cries?—(*answers from the crowd of No, no.*) Have they not been supplicated in the language of men—in the language of forbearance and patient suffering?—(*Yes, yes.*) The Israelites were in a state of bondage for four hundred years; but we have been double that time. Ever since the Norman Conquest Kings and Lords have been deluding you, they have in many instances converted you to their own wicked purposes; but this must last no longer." At this moment the younger Mr. Watson rose from the waggon, having been standing immediately behind the elder Mr. Watson, and took his place. I conceive that Mr. Watson concluded his speech very abruptly, and that if he had not been interrupted he would have gone still further; and perhaps I may explain there is a difference between this and the report in the public newspapers.

Lord Ellenborough. If there is any question put on cross-examination on that subject, this may be proper, but not without I think.

Mr. Attorney General. When the elder Mr. Watson had finished his harangue, did any body in his presence address the mob.

A. The younger Mr. Watson did.

Q. Did you take a short hand note of that too?

A. I did, the closest note I could. Mr. Watson, just spoke as follows:—" Friends and Countrymen, the last time we met in this place I had the honour of saying a few words to you; I was the person who proposed the resolution that we should meet again this day, I said then, if we were to hold our meeting on the first day of the meeting of Parliament, it was not in our power to tell when we should meet, and it might be that we should never meet at all. At that time it was agreed, to present a Petition to the Prince Regent. You have been told that your petition was presented, but answer there was none. His Royal Highness replied,

my family have never attended to the prayers of the people, or received petitions, unless they came from the Universities of Oxford and Cambridge, or from the Corporation of London; in a word, "I will not attend to the prayers of the people" *(groans and hisses)*. This man calls himself the father of his people *(cries from the crowd, D——n him!)* Is it not the duty of a father to protect his children? *(yes!)* Has he done so? *(no!)*—No, he leaves you every ground for complaint, while he tramples on your right. *(groans and hisses)* There is no luxury which he spares, because he knows the expences will be paid out of your pockets. *(groans)* Are we to submit to this any longer? *(no!)*—will Englishmen suffer themselves any longer to be trampled upon like the poor African slave in the West Indies, or like clods or stones *(cries from the multitude of "No! we must have relief!")* we can expect none from their hands. Yes,—I beg your pardon,—since our last meeting, from the resolutions which were passed, calling upon the people to come forward, some persons have received some ox-cheek soup, and beef-bone broth. *(laughter)* Some persons have come forward with their two and three hundred pounds, who should have come forward with their one or two hundred thousand pounds. Do you believe that those people are sincere in their wishes for the people *(no!)* These men come forward to rob you of all you possess, and then give you a penny to pay the turnpike. The Prince Regent, in his great generosity, has given you £5000. out of funds which do not touch his own pocket! *(cheers and hisses)* Yes,—it appears that he plunders you of millions, and then gives you a part of the spoil. *(cheers and groans)* My friend here has been described by the Treasury Journals as a second Wat Tyler. No bad title: for be it recollected, that Wat Tyler stepped boldly forward for the purpose of opposing an oppressive tax; and would have succeeded, had he not been basely *murdered by* William Walworth, then lord

mayor of London. But we have no bull-rush lord mayor now, and if he was, surrounded by thousands of his fellow countrymen as I now am, there would have been no doubt of success! *(cheers and huzzas!)* It seems to be the determined resolution of ministers to carry every thing with they call a high hand; or, as they say, "Our Sovereign Lord the King will carry every thing with firmness. In short, they will carry the business in defiance of the voice of the people. *(hisses)* If they will not give us what we want, then shall we not take it? *(yes!)* Are you willing to take it? *(yes!)* If I jump down among you, will you follow me? *(The crowd answered with loud acclamations yes! yes!)* at that time Mr. Watson seized one of the tri-coloured flags on his right hand, jumped down and proceeded; those in the waggon got down, and those not in the waggon followed him toward Coppice Row—all who were in the waggon jumped down at the same moment, as if influenced by the same spirit, and followed him.

Mr. Wetherell. You must not give us your inferences—you may state the facts.

A. They appeared to be influenced by the same spirit.

Mr. Attorney General. At the time young Mr. Watson was speaking, did you see where Mr. Watson, senior, was?

A. He was in the waggon by his side.

Lord Ellenborough. Did he jump down?

A. I did not see who jumped out of the waggon first, but they all left it as quickly as they could, considering the crowd that was about it.

Mr. Attorney General. Did all the persons that were in the waggon go along with the rush in the mob?

A. As far as I observed, they did.

Q. Did you observe whether any persons who were in the waggon, or the mob, had cockades?

A. Yes, I did; I think Mr. Hooper had a tri-coloured

cockade, and that the younger Mr. Watson had; I am not so certain of the elder.

Q. Did you see Preston about the same time that they jumped out of the waggon?

A. I did.

Q. Where was he?

A. He was close to the waggon, I imagined, at the moment he was upon the waggon; he was elevated on some part of the waggon, but my attention being directed to my notes, I was not able to make close observations on every person there.

Q. I think you said that the younger Watson seized one of the flags?

A. In his hand, and with it jumped down.

Q. Which was that?

A. I think it was the larger one, to the best of my opinion.

Q. Were a number of persons of the mob in your sight till they came to the corner of Coppice-row?

A. I followed them to that part.

Q. How far was Coppice-row from the waggon?

A. I should suppose at the utmost extent, a couple of hundred yards.

Q. When they came to the corner of Coppice-row, did you see a person of the name of Stafford?

A. I did.

Q. Do you know Mr. Stafford?

A. I do.

Q. What is he?

A. I have always understood him to be chief Clerk at Bow Street Office.

Q. Did you see what Mr. Stafford did?

A. I observed Mr. Stafford with others, impede the progress of the mob, and attempt to seize the flags; I had *previously noticed* a smaller flag which was pulled

down, as was also a banner, with the inscription I have described.

Q. Do you know who was carrying the banner, or the flag, not in Watson's hand?

A. I do not, it was a person in a sailor's jacket; I conceived that the larger flag when it turned the corner changed hands, but into whose hands it went I cannot exactly determine.

Q. How far did you follow them?

A. I stopped for a short moment—I knew that a force of Police Officers were placed at the corner, and I observed Mr. Watson standing near to a Public House, which is there situate.

Q. Which Watson?

A. The elder Watson: the crowd rushed on down Coppice-row, I followed them a little way, but from some declarations I heard, I was induced to return and acquaint the Magistrates with what I had heard, and what I conceived to be the intentions of the crowd.

Q. What was the cry of the mob at the time they went off?

A. Some cried "come to the Tower," and others, "to the Lord Mayor;" but I conceived they were bearing towards the city,—indeed I was satisfied, from their declarations.

Mr. Wetherell. Tell us from what you saw, not your conceptions.

A. I did not see them speak, but I heard them.

Mr. Attorney General. You heard both those cries;—some crying to the Tower, and some to the Lord Mayor?

A. Yes.

Q. Did you observe whether any persons in the mob had arms?

A. I saw one man with a sword or cutlass, and on another man I thought I observed the butt end of a pistol in his breast.

Mr. Wetherell. Tell us what you saw not what you thought?

A. I saw a man with that which I believed to be a pistol in his breast.

Mr Wetherell. Then you should have used a stronger word than thought, if you saw it.

Mr. Attorney General. What did you see?

A. I saw that which I believe to be a pistol, I had no motive at the time to magnify the appearance of the thing, I believed it to be a pistol.

Q. Did you follow the mob immediately, or go back to Spa Fields?

A. I returned to the Magistrates, and from thence I went elsewhere, and subsequently into the City.

Q. Did you afterwards go towards the City for the purpose of seeing what was doing?

A. I did.

Q. I think you say you saw the elder Mr. Watson, at the end of Coppice Row.

A. I did.

Q. Did you see where he went to afterwards?

A. I afterwards met him with a portion of the crowd who had gone in the direction of Cold Bath Fields, going after the other mob down Coppice Row, as I returned.

Q. As you returned, you met him going in the same direction as the other mob?

A. Yes, the elder Mr. Watson was with those other persons, they were not going with the same rapidity, but they went in the same direction.

Q. Did you go into the City afterwards?

A. I did.

Q. Did you in any part of the City come up with any part of the mob?

A. I did.

Q. Where did you first see them in the City?

A. In the Minories.

Q. Which way did you go into the city?

A. I passed by Mr. Beckwith's shop in Skinner Street, which I saw demolished.

Q. That is, before you come to Newgate Street?

A. Yes.

Q. Were there any part of the mob at Mr. Beckwith's at that time?

A. There were not.

Q. In what state did it appear to be at that time?

A. The windows appeared to be very much broken and shattered; the shop appeared to be in a very dilapidated state, but the shutters were put up to hide the appearance of it as much as possible.

Q. Where did you come up with the mob?

A. In the Minories.

Q. Did you see any person's house that was being attacked, or had been attacked?

A. The house of Messrs. Brander and Potts bore the same appearance as Mr. Beckwith's, and I saw also Mr. Rea's house, which was demolished in the same way.

Q. What are Brander and Potts?

A. They are Gunsmiths, and Mr. Rea is a gunsmith. They are on opposite sides of the same street; in the front of Mr. Rea's shop there were some pikes, and some long guns, I saw a very long gun, a duck gun, and some muskets and things of that sort, pulled down and lying in front of the shop, outside the window.

Q. Do you mean in the street, outside the shop?

A. Yes, the windows of the shop itself were quite demolished and destroyed.

Q. Had any of the mob arms at that time?

Mr. Justice Abbott. He has not said that the mob were *there* at that time, I think.

Mr. Attorney General. You did not see the mob at those houses?

A. No, the mischief had been done at that time, I met the mob coming up the Minories, I suppose three or four hundred of them, some of them armed with guns, some with pistols, some were charging their pieces, and others discharging them.

Mr. Justice Abbott. Had you met them before you came to Brander and Potts's house?

A. Nearly opposite to Brander and Potts's house they were armed with guns, pistols, cutlasses, dirks of various descriptions, and also a small brass carronade, I believe it was.

Mr. Wetherell. Every word is belief.

A. I am not a very good judge myself—to the best of my belief it was a carronade.

Mr. Attorney General. What do you mean by a carronade?

A. A brass piece of ordnance on wheels, and drawn by men.

Q. In whose possession was that?

A. Of the crowd—it was drawn by sailors; two sailors drew it in front, and one, with a marling-spike, or a spike of some kind, guided it behind.

Q. Were those who drew it part of the mob?

A. They were persons of that description, riotously inclined.

Mr. Justice Abbott. I think you said something about their discharging their pieces?

A. Yes, some were discharging their pieces in the air, not to do mischief.

Mr. Attorney General. How long did you continue with the mob?

A. Till they were dispersed by the horse-guards.

Q. How soon after that was it that the horse-guards made their appearance?

A. Perhaps ten minutes, or a quarter of an hour; they

were marching up the Minories, and I heard some of the people cry—"To Spa Fields."

Q. When you say marching up the Minories, do you mean towards Spa Fields?

A. Yes.

Q. Then you heard some of them cry—"To Spa Fields?"

A. Yes, I did.

Lord Ellenborough. This was after you had seen the demolished state of the houses—they were then returning?

A. Yes, they were then returning after the mischief had been done—I was not present when the demolition was made.

Mr. Attorney General. Did you go back to Spa Fields?

A. I did after the mob had been dispersed.

Q. Were you present when the mob was dispersed?

A. I was immediately in the rear when the Horse Guards arrived; I partly suspected the Horse Guards were coming.

Mr. Wetherell. Your evidence is all suspicion, really you must not tell us your suspicions?

A. I saw them arrive, and I found that the cause of the mob running, was the arrival of the Horse Guards.

Mr. Attorney General. Did you return to Spa Fields?

A. Yes.

Q. Was there any meeting in Spa Fields still continuing, or had they dispersed?

A. There was a very numerous meeting at Spa Fields when I got back.

Q. Do you know who any of the people were who called out, "To Spa Fields," from among the mob?

A. No, I cannot speak to that; it was a mixed multitude of sailors, and men, and boys.

Cross Examined by Mr. Wetherell.

Q. Have you applied for any employment under Government?

A. I have not.

Q. Of any kind?

A. No.

Q. Have you had any promise made to you?

A. No.

Q. Of any kind whatever?

A. No, of no kind whatever.

Q. Have you ever said that you had had a promise of some employment?

A. I never had a promise of any employment, certainly not.

Q. A promise of any reward?

A. I have been told that I should be paid for my labours, as a short-hand writer, and I went to Spa Fields expecting to be paid as a short-hand writer.

Q. You have never said that you expected, or had been promised any reward whatever?

A. Certainly not.

Q. Have you never said that you expected a reward or appointment in consequence of something that had passed?

A. No.

Q. Have not you said that, or something of that kind?

A. I have said that I expected to be paid for the labour I performed, as a short-hand writer.—It is perhaps unnecessary to state what attendances I had afterwards.

Q. Do you mean to say, that the reward you have expected is merely for your labour as a short-hand writer?

A. And my attendances in consequence.

Q. Have you not said, that you expected some reward from government, not confining it to your wages as a short-hand writer; that you expected some reward or employment from government?

A. I certainly spoke generally, that I expected to be remunerated for the trouble I had had.

Q. Are those the precise words you used?

A. Upon my word I cannot recollect the precise words.

Q. You are used to a great deal of precision in taking a note of other person's words.

A. I do not happen to have taken my own.

Q. You have never said you expected some reward from government, not confined to your wages as a short-hand writer?

A. I have said that I expected to be rewarded generally certainly for my trouble, but never spoke of any appointment, or of any situation, or applied for any, or expected any.

Q. You have never applied for any particular place?

A. No.

Q. Nor expected you were to have any particular place?

A. Certainly not.

Q. You expect merely a reward for your labours, as a short-hand writer?

A. Reward means a reward for labour performed; and my labours have extended beyond my duties as a short-hand writer.

Q. Then you expect something further?

A. I expect something further than my pay per folio.

Q. Did you attend the meeting on the 15th of November?

A. I did.

Q. By whose directions did you attend?

A. I do not know that I received any directions to attend.

Q. You must know whether you did or not?

A. I believe I did not receive the directions of any person to attend.

Q. Are you not bound, as a short-hand writer, to know whether you were sent? Were you sent by any body, and by whom to attend the meeting on the 15th of November?

A. I was not. It was left to my own discretion.

Q. Who spoke to you upon the subject?

A. Perhaps it may be necessary to explain——

Q. Who left it to your discretion?

A. I will explain. I am connected with a public newspaper, and have been for some years, and it is my duty to do the best I can for my proprietors, and in the public duty—

Q. This is a speech, and not an answer?

A. It is an extempore speech. I cannot call to remembrance, whether I attended from my own suggestion, or whether it was suggested to me, but I attended that meeting.

Q. Who desired you to attend on the 2nd of December?

A. I attended by desire of the proprietors of the Observer newspaper.

Q. Had you any direction from any one in the Secretary of State's Office, or any magistrate?

A. I had not, nor never had any previous communication with them.

Q. Then what is the ground of your claim for wages?

A. For labour performed.

Q. They will say they did not send you perhaps?

A. Not on that day, but subsequently they did.

Q. Were you or not desired to attend there by any person?

A. I was not: when I arrived at Merlin's Cave I was addressed by a gentleman, an assistant to Mr. Gurney, the short-hand writer, and was requested by him to take a note of the speeches in the Field on that day; and conceiving myself at the moment under Mr. Gurney's immediate employment, I took a note of these speeches.

Q. How came you to consider yourself under Mr. Gurney's immediate employment—you have nothing to do with Mr. Gurney?

A. By desire of Mr. Gurney's clerk, that I would assist him on that day.

Q. Then you were desired by Mr. Gurney's clerk to take a note?

A. Yes, I was.

Q. Your directions came immediately from Mr. Gurney?

A. From Mr. Green.

Q. Who is Mr. Green?

A. Clerk to Mr. Gurney.

Q. Having taken this note on the 2d of December, to whom did you give the copy when you had transcribed it from your note?

A. I gave it to Mr. Beckett.

Q. Mr. Beckett the Under-secretary of State?

A. Yes, so I understand.

Q. Have you any doubt about that?

A. I have just now.

Lord Ellenborough. I doubt very much whether these particulars should be enquired into as to the proceedings of government?

Mr. Wetherell. My Lord, I am aware of the point which arose in Mr. Tooke's case, and in Mr. Hardy's, where the name of an informer was prevented by the Court from being disclosed, on the grounds of public policy: there was no question made, that the name of a magistrate or accredited person might be asked; and the Court there took the distinction between protecting the name of a third person, and that of a member or a servant of the public.

Mr. Justice Abbott. If I am not very much mistaken, whether the person had said that he gave information, either to a member of government, or to some person, with a view to the communication being made in either case, the counsel were not warranted to ask that witness who that person was, whether he was a member of government or not.

Mr. Wetherell. Your Lordships will allow me, with great humility, to trouble you with a very few words, having looked into this point—the question first arose, in the instance of a person to whom the communication had been

made, in order that that person might be a link between the individual and government, but an objection was not taken to the question, whether a particular magistrate or servant of government had not given the directions; but I am not asking to matters of secret information, but to matters of fact—to whom he delivered it.

A. Perhaps I might be allowed to explain, in justification of myself, the circumstances, and the manner in which I made the communication, to which Mr. Wetherell alludes.

Mr. Justice Abbott. It was ruled by all the Judges, that the witnesses could not be compelled, on cross-examination, to declare the names of the persons to whom they had given information of the proceedings of the society, whether such persons were themselves magistrates, or actually concerned in the administration of government, or were only the channel through whom the information was conveyed to government; one of the witnesses however conceiving their views to be dangerous, had consulted a private friend what steps he should pursue, who advised him to communicate the information to government—it was made a question on cross-examination, whether he might not be compelled to disclose the name of such friend—it was ruled he should not, by Lord Chief Justice Eyre, Mr. Baron Hotham, and Mr. Justice Grose;—contra. the Lord Chief Baron, and Mr. Justice Buller, that is, the note I made before the printed trials came out, and I have added, see the printed trial, vol. ii. page 405, vol. iii. page 88.

Mr. Wetherell. Your Lordship's note entirely corresponds with the printed book, which I consulted two days ago, and if your Lordship's opinion is against me I will not go farther; the point arose there with respect to producing the middle man, but I apprehend it was not there decided, that the counsel for the prisoner might not ask the question, whether a person made a communication to the Secretary of State?

Mr. Justice Abbott. The first proposition, as I have taken it, being a very young man at the time, is, that it was held by all the Judges, that the witness could not be compelled to disclose the name, whether the person was a magistrate, or concerned in the administration of government, or only the channel through whom the information was conveyed, that is, in the second volume, page 405.

Mr. Wetherell. It is with great deference I should question the accuracy of your Lordship's note, but I apprehend it will be found to be admitted there, that you may enquire through what Officer of Government the communication was made.

Lord Ellenborough. But a communication to a member of Government, is a communication to Government; it cannot be asked, whether a communication was made to Government by that person; it is a secret of Government, and you have no right to ask it; in Stone's trial, I recollect, Lord Kenyon decided the point.

Mr. Wetherell. My Lord, I will not press any part of this subject matter further—you did, in fact, communicate this to Mr. Beckett?

A. If I may be allowed by their Lordships to explain the innuendo———

Lord Ellenborough. No, I do not allow you to explain it, because I think it is not proper subject for inquiry.

Mr Wetherell. I do not trace this further than to Government—you communicated this note to some Gentleman—I presume the objection does not apply, if the name is not used to the Under-Secretary of State.

A. To Mr. Beckett.

Q. When did you make the communication to him of the note?

A. I think it was the ensuing morning.

Q. Did you give him, the ensuing morning, the verbatim copy which you have read to us to-day?

rd *Ellenborough.* This is pursuing it in a way in h I think it ought not to be pursued; there will be fety in communicating the most important matters to rnment, if those secrets, and the channels of com- cation are to be developed; they have formerly been cered, and I see no reason for departing from the which have been laid down.

n *Justice Abbott.* One of the witnesses was asked here w came you to go then?—I was sent by a Gentleman. whom?—he addresses himself to the Court, and says, m asked, my Lord, by whom, if it is proper, I will *Mr. Gibbs,* one of the Counsel for the Prisoner says, it be improper I will not ask it;" the Witness says, it is a fair question I will answer it directly;" *the Chief Justice* says, "There can be no imputation upon for answering the question, if you decline an- ing, that is another thing; it exposes you to no dif- ies, or penalty, or any thing of that sort:" "None," itness replies, "it is only a point of delicacy, I am to give an answer, I have not the least objection on art:" then *Mr. Law* says, "My Lord, I take it, the tels for information must be protected: *Mr. Attorney ral* says, "The Court of Exchequer never would per- hat question to be asked: *Lord Chief Justice Eyre* "Upon a general principle, I do not know whether ght to be answered:" The Witness says, "It was a n high in office under his Majesty, but permit me to I was not desired by that Gentleman to conceal his ." *Mr. Gibbs,* "Then where is the delicacy of it?" *Chief Justice Eyre,* "He has said what is proper and rial for your purpose, that is, that he went there being oyed, for the purpose of collecting information, with w to the disclosure of it." *Mr. Gibbs,* "I will not the question further than your Lordships think I t, I leave it to the discretion of the Court if it is

thought not proper." *Lord Chief Justice Eyre,* "I do not think it is proper." Then it goes on—*Mr. Gibbs,* "Then you were desired by a person high in Office to go to the place;—how arose your connection with that Gentleman?" "My connexion with that Gentleman has been for these ten years, that is, so far as having the honour of being personally known to him."—"What sort of connexion had you with him?" *Lord Chief Justice Eyre,* "It is hardly proper that the history of a connexion of that kind should be disclosed here. The Witness says, "that Gentleman would not employ me in any thing dishonourable, nor would I accept it." *Mr. Gibbs,* "I dare say you would not." Then *Lord Chief Justice Eyre* says, "You find, he went on purpose to give information of what passed, that is the only fact that is material for the prisoner, the rest is private intercourse, which may involve in it the consideration of a thousand other things which may be material to the government of the country; I think it not proper to be disclosed here, it is not necessary to the cause."

Mr. Wetherell. Your lordship sees I do not go to any ulterior conversation between him and government.

Lord Ellenborough. You only wish for the fact of the communication.

Mr. Wetherell. Just so, my lord. Did you communicate to the under Secretary of State, a full copy of your report?

A. I communicated to him a rough copy, intended for newspaper insertion; it was not so exact a transcript of my notes as that in his lordship's hand.

Q. Was that the substance, though not so exact?

Mr. Solicitor General. We cannot get into the contents of a written paper.

Mr. Wetherell. Did you see in the papers of next morning the paper you gave for the purpose of insertion?

Mr. Solicitor General. He cannot be asked, my lord, as to the contents of a newspaper, which is not produced.

Mr. Wetherell. Yes, if he gave it to a newspaper, it is by way of verifying it; it is certainly a fact, whether that note was in the paper the next morning.

Mr. Justice Bayley. Then you must produce that paper.

Mr. Wetherell. Did you give your note to Mr. Hone's publication?

A. No, indeed, I did not.

Q. Your note you gave to Mr. Beckett the next morning?

A. I communicated to Mr. Beckett that I had a note the next morning, and gave him a transcript in the evening.

Q. Did you take any note of the word that was upon one of the flags, was it "friends" or "brothers?"

A. No, I did not, neither did I swear positively that it was either the one or the other.—I only swore that I believed the word was, "The brave Soldiers are our Friends," I would not undertake to say, whether it was friends or brothers.

Q. You say you took the best note you could of what passed?

A. Certainly.

Q. Was there a good deal of noise and disturbance among the mob, while those two speeches were going on?

A. While the two speeches were going on, they were extremely quiet, and were all attention to the speeches; occasionally there were shouts, and those shouts did always end immediately.

Q. What time of the day was it, to the best of your recollection, when the speeches finished on the second of December?

A. The speeches of the Watsons I think it must have been before or by half-past twelve.

Q. Was the younger Watson's the last speech that was made?

A. It was.

Q. Who else spoke besides the two Watsons?

A. Nobody else that I heard.

Q. Were you in a situation in which the people might perceive you taking the notes?

A. Yes, and many did.

Q. In what part of the field were you?

A. I was in front of the waggon.

Q. How far were you from the Watsons?

A. I conceive about ten or a dozen yards from the waggon.

Q. Was the interval between you and the waggon filled up by the crowd?

A. It was.

Q. When you were taking notes of this speech did you perceive any of the police officers about?

A. I did not take notice of any.

Q. Did not you see Mr. Stafford near the waggon?

A. No.

Q. You met him afterwards?

A. I saw him afterwards.

Q. Do you happen to know the persons of the police officers at Bow Street, so as to say, whether they were near you?

A. I know the persons of a good many of them. I cannot say whether they were near the waggon.

Q. You said you spoke to Mr. Stafford, where was that?

A. I did not say that I spoke to Mr. Stafford, I said I saw him.

Q. Where was he when you saw him?

A. At the end of Coppice Row.

Q. Did you chance to see him before the speeches closed among the crowd?

A. I did not.

Q. How many minutes was it after the speech had closed when you saw him taking one of the flags?

A. In three or four minutes. It was not so much as that.

I should think; the crowd was passing, and I saw a rush made by the officers, I saw Mr. Stafford among them, and I saw the flag fall.

Q. You talked about a magistrate; to what magistrate did you go?

A. Mr. Baker.

Lord Ellenborough. I do not think he is bound to disclose the representation he made to government, with a view to punishment.

Mr. Wetherell. My object is to prove the fact of the notoriety of the meeting, and that in consequence of that notoriety the short-hand writer, the magistrates, and the police officers were all present.

Mr. Justice Bayley. You have proved that such and such magistrates, and such police officers were there.

A. There were two or three police officers in the room when I made the representation.

Mr. Wetherell. Who were those magistrates?

Lord Ellenborough. I must forbid him to answer that.

Mr. Gurney. This was not at the meeting, it was in a room?

Mr. Justice Abbott. Was your question as to magistrates whom he saw there, or magistrates whom he went to afterwards?

Mr. Wetherell. To magistrates at or near the place.

Lord Ellenborough. You may certainly enquire what magistrates were on the spot, but with respect to the magistrates to whom he made communication in the course of duty, neither what he communicated, nor the persons to whom he communicated, can, I think, be evidence—if you have a mind to shew that there were many magistrates who were looking on, and saw what passed, in order to found any argument upon that, you may prove that fact.

Mr. Wetherell. That is all I wish, my Lord, I do not wish to go to any communication—what magistrates were there in Spa Fields—how *near?*

A. In a house, two or three doors beyond the Merlin's Cave, I found, I think, three magistrates.

Q. Who were they?

A. One, I believe, was Mr. Baker, the name of the other I do not recollect; there was one, a gentleman belonging to Hatton Garden office.

Q. How many yards was this house from the place where the waggon stood, and the speeches were made?

A. I cannot estimate the number of yards; but I suppose four or five hundred yards at least, it was a long distance.

Q. Now without asking you what passed between you and the magistrates, when you had heard the speeches, you went to the magistrates?

A. I did.

Q. Were there any police officers with the magistrates?

A. There were.

Q. How many?

A. I met two or three in the passage, and one shewed me the house where they were.

Q. Did you happen to go to the top of Spa Fields to see whether there were any dragoons?

A. I did not.

Q. Did you look about to see for any?

A. I was in the room in the Merlin's Cave, and I did not see any.

Q. A red coat on horseback catches the eye, did you happen to see any in the neighbourhood?

A. I did not.

Q. Did you go to any of the magistrates in the Cold Bath Fields prison?

A. I did not.

Q. You do not know whether any of the magistrates were there or not?

A. I do not.

Q. You say that you saw one man there, as you believe, with a pistol.

A. Yes.

Q. Did you see any body else with arms there?

A. Another man I saw with a short sword.

Q. Are you sure about the pistol?

A. I have already said, that I believed it to be a pistol from the appearance, but I certainly cannot swear to it.

Q. You saw the tri-coloured flag?

A. I did.

Q. What were the colours of the flag?

A. I think, white, green, and red.

Q. You should have called it *a* tri-coloured flag, and not *the*.

A. I called it *a* tri-coloured flag.

Q. You know the value of *a* or *the* as well as I do, was it a French tri-coloured flag or not?

A. I do not think it was.

Q. Have you a doubt that it was not?

A. I do not think it was.

Q. Do not you know it was not?

A. I know it was not.

Q. That it was not the French tri-coloured flag?

A. It was not.

Q. You called it *the* tri-coloured flag?

A. I did not, I called it *a* tri-coloured flag.

Q. You did not?

A. I did, and the short-hand writer's note will prove that.

Q. Did you arrive at Mr. Beckwith's at the time the shop was being broken open?

A. I did not.

Q. You followed the mob to the Minories?

A. I did.

Q. You did not take a short-hand note of the speech made to the Garrison at the Tower?

A. I did not.

Q. Had you no curiosity to go down to the Tower?

A. I had the curiosity to look to Tower Hill, and I saw the Tower was there.

Q. Though the people cried do go down to the Tower, you did not go there with them?

A. I met the body of the people coming back from the Tower, as I supposed.

Q. But you did not go down to the Tower?

A. I went to the end of the Minories, and saw Tower Hill and the Tower.

Q. Where did the people fire their pistols in the air?

A. In the Minories.

Q. Did you go anywhere else but the Minories?

A. I followed the crowd up the Minories till they were dispersed, then I came back again.

Q. Where to?

A. I went from thence home to my office.

Q. Have you been examined as a witness before the Grand Jury at Hicks's Hall?

A. I have.

Q. When were you examined there?

A. I do not recollect precisely the date.

Q. Did you lay before the Grand Jury at Hicks's Hall, the copy of your short-hand note you have read to-day?

A. I read it to them.

Q. When was this?

A. I have already told you I do not recollect the exact date.

Q. Do you recollect the day, or about, when you read over to the Grand Jury at Hicks's Hall the note of those speeches?

Mr. Solicitor General. My Lord, I apprehend it is not competent to my learned Friend to ask him what he deposed before the Grand Jury.

Mr. Wetherell. I ask him only to facts, the day of his attendance, and whether he produced the note?

Lord Ellenborough. On that subject I have a considerable doubt; I remember a case in which a witness was questioned as to what passed before the Grand Jury, and though it was a matter of considerable importance, he was permitted to answer; it was a case of life and death.

Mr. Solicitor General. Certainly, the case having occurred, I would not trouble your Lordship with a word; I should have thought, as the Grand Jurymen are sworn to secrecy, what passed between them ought not to be inquired?

Lord Ellenborough. I had doubts, and I know many very eminent men at the Bar had doubts, but I remember the case perfectly.

Mr. Wetherell. Can you give me about the date that you went before the Grand Jury at Hicks's Hall?

A. I do not recollect the day, or about the day.

Q. Do you recollect being examined at the Old Bailey?

A. Yes.

Q. In Mr. Watson's case?

A. Not in Mr. Watson's case.

Q. Against Mr. Hooper?

A. It was against a man of the name of Simmonds; I was in Court all that day, or the greater part, but I do not recollect being examined on Mr. Hooper's trial.

Q. Have you forgotten going to the Old Bailey to be examined against Mr. Hooper?

A. I remember being at the Old Bailey, and being examined.

Q. Is your name Vincent George Dowling?

A. It is.

Q. Do you mean to say you do not recollect being examined?

A. I was examined on some trial that day.

Q. But you do not recollect whether you were on Hooper's trial?

A. I know thus much, that to the best of my recollection I was examined on one or two trials, and there was a trial on which I was not examined, and where I expected and wished to have been examined, on account of a particular circumstance that occurred.

Q. Were you or not examined on Hooper's trial?

A. Just give me leave to recollect; I believe it was on Hooper's trial that I was examined, and not Simmonds's; I know I was subpœna'd on all of them.

Q. You believe now it was Hooper's, do you?

A. Yes.

Q. Did you examine the waggon when you went back to Spa Fields.

A. I did not.

Q. That did not come within your province, you were not desired to look into the waggon at all?

A. I do not know that I was desired to do any thing particularly, except take notes of what might take place on the field.

Q. Have the goodness to recollect whether you were not examined on Simmonds's trial as well as Hooper's?

A. I think, to the best of my recollection, that it was on Simmonds's, I was not examined, though I expected to be examined; my recollection, certainly, is not precisely clear as to which of the trials; I know I was examined on one, and was desirous of being examined on the other, for a particular reason that occurred.

Q. How came you to be desirous of being examined, that is not common?

A. I will inform you;—I had gone from the Court upon business of my own, and in my absence, I understood, that Mr. Justice Park in summing up the evidence, stated, when he came to my name, "the next witness, Gentlemen of the

Jury, is Mr. Dowling, but who this Gentleman is, or what he is, we have not heard;" and I was desirous of acquainting his Lordship who I was, and what I was, and was desirous of informing his Lordship where he might ascertain.

Q. That is all you wished to say?

A. Yes; Mr. Gurney and Mr. Alley were present on the occasion, and kindly explained who I was, and what I was.

Re-examined by Mr. Attorney General.

Q. You have been asked, what were the particular words upon the banner—I did not understand you to say that you took any note of what was on the banner?

A. I did not say that I did; I said that I saw a banner, on which there was an inscription.

Q. Whether you are accurate in the words you cannot tell?

A. I cannot say.

Q. You say you took the best notes you could, did you find any difficulty in taking any note at that time?

A. The undulation of the crowd affected me, but not materially.

Lord Ellenborough. It is but justice to the witness to say, that on looking over all the notes taken by the Court, we none of us find him mention *the* tri-coloured flag till he mentioned it with reference to what he had before stated.

Mr. Dowling. I am obliged to your Lordship.

Mr. Justice Abbott. He first spoke of a tri-coloured flag; I have it thus on my note: "I saw a flag displayed from the window, white, green, and red."

Mr. Dowling. It is only Mr. Wetherell's accuracy against mine.

Mr. Wetherell. He might as well have mentioned the colours.

Mr. Justice Bayley. He did; after having spoken of being at the Spa Fields meeting, on the 5th of November, he says, "There was a tri-coloured flag, green, white, and red."

and then he afterwards says, in another part of his evidence, "I saw some people bearing flags, one of which was the same I had seen exhibited on the 15th from the Merlin's Cave, and there was a smaller flag, both tri-coloured."

Mr. Attorney General. With respect to Mr. Stafford and the Bow Street officers, did you see any of them near the waggons, or was the first time you saw them when the mob were advancing from Coppice Row?

A. I had seen the Bow Street officers previously at the corner of Coppice Row; but while at the waggon I did not see them.

Q. The place where you saw the magistrates was at a distance from that part?

A. Yes, above the Merlin's Cave?

Q. When a part of the mob went away with young Watson, was there a very large number of people left behind in Spa Fields?

A. There were a considerable number remained, which I left behind. Perhaps I ought in justice to myself to say, that there are certain explanations which I could have made, which I am not unwilling to make, but which would do away the insinuations Mr. Wetherell has made.

Lord Ellenborough. The Court have decided that that is matter which they cannot receive—the feelings of the witness must submit to the rules of the Court.

Mr. Dowling. I am bound by the decisions of the Court—I beg your Lordship's pardon for mentioning another fact, but your Lordship has announced the wish of the Court, that the proceedings on this Trial should not be published until its close; I am fearful, that previous to that desire being expressed, a publication has been made in many Evening Papers, and probably to the extent of some thousands,—I trust your Lordship will give the Proprietors that indulgence which their ignorance of your Lordship's wish bespeaks for them.

Lord Ellenborough. What has been done cannot be prevented, but the desire of the Court must be strictly attended to.

Mr. Justice Abbott. If I am not wrong in my recollection, the same direction was given in the trial of Mr. Hardy.

Mr. Dowling. I was ignorant of that, my Lord, and was a mere agent for others.

Lord Ellenborough. The Court do not pronounce, that what has been done is not a contempt of the Court, what the persons publishing have done during the progress of the Trial, they have done it at their peril.

Mr. Dowling. I was ignorant of it, my Lord.

Mr. Wetherell. You sent the Attorney General's speech, I suppose?

Mr. Dowling. I have sent no part—I have written no part—I was not in Court at that time.

Mr. Wetherell. You have sent part of the Prosecutor's case, I suppose?

Lord Ellenborough. You must not examine this Gentleman to know whether he has been guilty of an infraction of the order of the Court.

Mr. Wetherell. It would have been as well this Gentleman should have stopped—I do not very well understand this una-lateral note-taking, my Lord.

Mr. Dowling. I do not understand this una-lateral term.

Mr. Wetherell. I will take the liberty of making application to your Lordship, that as these notes or papers are not already gone out to the public, they may be stopped.

Mr. Justice Bayley. I am afraid from what has been stated, that it is too late, and that many of them have been sent off by the post.

Lord Ellenborough. Whether they have incurred the penalties of the contempt, is a question upon which we do not now enter; the Court has warned such as publish any

part of the proceeding before it is concluded, that it w viewed as a high contempt.

Mr. Wetherell. I give you notice, Sir, that if one of papers contains the Attorney General's Speech, I wil ceed upon it.

Mr. Attorney General. I assure you, I should be sorry there should be one word in any paper whatev would not for a moment countenance such a thing, b witness is under the protection of the Court.

Lord Ellenborough. Certainly.

It being now nearly eight o'clock, four officers were in the usual form, to attend the Jury.

Lord Ellenborough. Gentlemen, I would suggest to that it would not be proper that you should read any paper account of what has passed in Court.

A Juryman. My Lord, I hope we should not thi doing such a thing.

Lord Ellenborough. You will not suppose that I m intimate, that I believe you would do any thing you sidered as improper.

A Juryman. It would be highly improper, my-l certainly we feel it so.

Lord Ellenborough. The Court will proceed at o'clock to-morrow morning, Gentlemen.

COURT OF KING'S BENCH.

Tuesday, 10th June 1817.

James Watson was set to the Bar, and Arthur Thistlewood, John Hooper, and Thomas Preston, in the seats immediately behind.

Mr. Wetherell. My Lord, before the business of the Court goes on, I would take the liberty of stating to your Lordship, that notwithstanding what your Lordship stated yesterday, when you, from that Bench directed, that none of the proceedings should be published, *de die in diem*, there has been published a full account of the Attorney General's speech in the *Observer*, a copy of which I hold in my hand. I am the last man to suppose that any editor would wilfully contravene the directions of the Court, I therefore merely mention it. I suppose Mr. Dowling's notes were communicated with no intention of contravening your Lordship's order, but I cannot help saying, that I think Mr. Dowling appears to be a partizan rather than a witness.

Lord Ellenborough. As you have announced that you do not mean to make any motion, the Court have no time to hear an address, which is to be followed by no proof. If you mean to move for an attachment, the Court will very readily hear you.

Mr. Wetherell. It is Dowling's paper, which contains this.

Mr. Justice Abbott. I am pretty confident that when you were speaking to Mr. Dowling upon that subject, he said he had taken no notes yesterday.

Mr. Gurney. He did, my Lord.

Lord Ellenborough. If there is to be no motion made, it is not necessary to enter into it.

Mr. Attorney General. Perhaps your Lordship will allow me to say this, I am sure that if any body has contravened your Lordship's order, there is no man more ready to stand forth to enforce the law, or to punish any person brought before your Lordship, than I shall be, on such an occasion as this.

Lord Ellenborough. The Court will entertain any motion that is made upon the subject; if no motion is made, we pass to the business of the Trial.

Charles Sheerman, the younger, sworn.

Examined by Mr. Solicitor General.

Q. Do you recollect, in the month of December last, being in Church-street, Bethnal-green?

A. Yes.

Q. On what day?

A. On the second.

Q. At what time of the day?

A. I believe it was about twelve o'clock.

Q. In the forenoon?

A. Yes.

Q. Did you see any persons in that street?

A. Yes, there were a good many.

Q. Was there any flag borne by any of them?

A. There were several.

Q. Several what?

A. Flags—cockades, not flags.

Q. Was there any flag?

A. There was one.

Q. And some persons had cockades?

A. Yes.

Q. What sort of a flag was it?

A. Of three colours.

Q. A three coloured flag?

A. Yes.

Q. Of what description were the cockades?

A. The same.

Q. Which way were they proceeding?

A. Up towards Shoreditch.

Q. Did you follow them?

A. Yes.

Q. Who was carrying the flag?

A. I do not know.

Q. You do not know his person?

A. I do not.

Q. Where did those persons proceed to?

A. Up to Spa Fields.

Q. What was done when they came to Spa Fields?

A. The flag was taken and planted upon a waggon.

Q. Did you then see any other flag?

A. Yes, there was another flag on the waggon.

Q Did any person speak from the waggon?

A. There was somebody spoke.

Q. At the time that you came?

A. There was speaking, but I did not hear what was said.

Q. Did you observe who spoke from the waggon

Mr. Wetherell. He has not said that any body did.

Mr. Solicitor General. I understood you to say that some person spoke from the waggon?

A. Yes.

Q. Did you observe who was the person who spoke from the waggon?

A. No, I did not notice that.

Q. Was the person who spoke from the waggon one of those whom you had seen in Church-street with the mob?

A. Yes, one of them was.

Q. Was he a young man, or an old man?

A. An old man.

Q. You had seen that person, you say, in Church-street?

A. Yes.

Q. Was he the person who carried the flag?

A. No.

Q. Was he near the flag in Church-street, or where was he

A. He was near the flag at times.

Q. You say you did not hear distinctly what was said-did you hear any thing that he said?

A. The conclusion of the speech I heard.

Q. What was the conclusion of his speech you heard?

A. If he jumped down, would they follow him.

Q. Was any thing said by any persons in answer to that

A. Yes, they said they would.

Q. Who said they would?

A. I do not know.

Q. Persons standing near the waggon?

A. Yes.

Q. Upon that being said, did he do any thing?

A. He jumped down.

Q. From the waggon?

A. Yes.

Q. Where did he go?

A. I do not know.

Q. Did you observe which way?

A. No, I only observed them going out of the Field.

Q. Who were going out of the Field?

A. The flag, and a good many other persons.

Q. Did you follow them, or go to any other part?

A. I went to the other part of the Field.

Q. You did not follow that part of the crowd?

A. I did not.

Q. You say you saw two flags, did you observe any other

A. There was a frame up.

Mr. Justice Bayley. Upon the waggon?

A. Yes, a frame with white canvas, or something of the kind.

Mr. Solicitor General. Was there any thing upon the white?

A. Yes, something, but I do not know what.

Mr. Justice Abbott. By something, do you mean words?

A. Yes.

Mr. Solicitor General. Was there any thing on either of the other flags?

A. No, not that I know of.

Mr. Justice Bayley. You do not know by what street they left the fields?

Mr. Solicitor General. I will ask, my Lord,—Did you observe which way they went?

A. No, I did not, I went to another part of the field.

Q. They moved from the waggon?

A. They did.

Q. In what direction?

A. I do not know the direction.

Q. Do you know the Cold-Bath-Fields Prison?

A. Yes.

Q. Do you know Coppice Row?

A. No, I do not.

Cross Examined by Mr. Wetherell.

Q. How near were you to the Waggon when this speech was going on?

A. I cannot say, it might be a dozen yards.

Q. The only words you recollect were those about jumping down?

A. Yes.

Q. You can recollect nothing else about the speech but jumping down?

A. No.

Q. That was all you heard?

A. Yes.

Q. How long were you standing near the waggon before

you heard the words about jumping down, five or ten minutes?

A. It might be as long.

Q. Were you there before the person who used those words and jumped down got up into the waggon,—did you see him get up?

A. I came with the flag.

Q. Were you present when the speech began, though you could not distinctly hear what the speech was?

A. No, I do not know that I was present when the speech began.

Q. How long was the Orator, whoever he was, speaking, before he jumped down?

A. Five or ten minutes it might be.

Q. But you heard nothing but the words jump down?

A. No.

Q. Was there a good deal of disturbance during the speeches?

A. Yes, a good deal of noise and talking.

Q. And halloing?

A. Yes, talking and halloing both.

Q. How near were you?

A. About a dozen yards off.

Q. And of all the speech you could hear only those words?

A. No.

Q. In consequence of noise and talking?

A. Yes.

Q. Did you endeavour to listen as well as you could to what was going on?

A. Yes.

Q. Was there such a noise and disturbance, that persons who endeavoured could not hear?

A. I could not hear.

Q. And yet you endeavoured to hear?

A. Yes, I did, as well as I could.

Q. What were the interruptions and noise that were made the people standing round?

A. Talking to one another.

Q There was a good deal of interruption of that sort?

A. Yes.

Q. Was there a good deal of huzzaing?

A. Yes, there was, and halloing at times.

Q. Was there pushing, and crowding, and jostling, by mob?

A. Yes.

Q. When the speech was over, you went to the other part the field?

A. Yes.

Q. What was going on at the other part of the field?

A. Nothing going on, but only people standing—Mr. mt was not come.

Q. Did you follow the mob towards the end of the field, entirely leave them?

A. I entirely left them.

Q. You said something which I did not quite understand out some canvas, what was that?

A. The frame was either painted white or canvas.

Q. Were you near enough to see the canvas?

A. I did not see distinctly whether it was painted white canvas—to the best of my opinion it was canvas.

Q. Was it upon a pole?

A. On a kind of a frame.

Q. You were not near enough to see what it was?

A. I did not take any particular notice of it.

Q. Did you endeavour to take as much notice of it as u could?

A. No.

Q. You did not endeavour to see what it was?

A. No, I *did not.*

Q. Cannot you give us an account of what this canvas was that you have spoken of?

A. No.

Q. What sort of a frame was it?

A. It was a kind of a frame like a picture frame.

Q. Were there several persons in the waggon when the speaking was going on?

A. Yes.

Q. What was the number of people round the waggon, when this speaking was going on?

A. I cannot say.

Q. A great crowd?

A. Yes.

Q. People coming backward and forward to the crowd?

A. Yes.

Q. A sort of moving mob or crowd?

A. Yes.

Re-examined by Mr. Solicitor General.

Q. You say this frame was like a picture frame, how was it supported?

A. By a pole.

Mr. Wetherell. I wish you would answer that question a little more distinctly; was the person whom you heard speaking in the waggon, speaking when you got to the waggon?

A. I do not know.

Q. Which way do you believe it was? was the person speaking when you got to the field?

A. I believe he was not.

Mr. Solicitor General. You say this frame was supported on a pole?

A. I believe it was.

Q. Was it on a high pole?

A. Yes, it was on a highish pole.

Mr. Justice Bayley. Did more than one person speak while you were there, or not?

A. No, I believe not, to the best of my knowledge.

Q. When that person jumped down, did any other person leave the waggon at the same time?

A. Not that I know of; there were a great many followed him.

Q. Did you observe the waggon afterwards, whether it was empty, or whether there were persons remaining in it?

A. No, I did not.

Charles Sheerman, the Elder, sworn.

Examined by Mr. Topping.

Q. Do you live in the neighbourhood of Bethnal Green?

A. Yes, Mile End New Town which is near it.

Q. Do you remember the meeting at Spa Fields on the second of December?

A. I do not know the day of the month, but I recollect that must be the time; I was informed that was the day.

Q. Was it in December?

A. I believe it was.

Q. On the morning of the day of meeting——

A. I am rather deaf——Since my evidence was taken before Christmas last, Mr. Gifford sent for me—I hope you will excuse me, if I do not put the words so close together, but I will speak to the truth.

Q. Speak the truth according to the best of your recollection, that is all that any body can wish. On the morning of that day were you in Bethnal-green Road?

A. Yes, I was.

Q. What time in the morning was it?

A. It might be from nine to ten, perhaps.—I was going after some business.

Q. Did you see any number of persons there?

A. Yes, I did?

Q. How many do you suppose there were?

A. I cannot rightly tell; I was asked that question by Mr. Gifford.

Q. Never mind Mr. Gifford, but answer the question as nearly as you can; were there a good many people?

A. There were a good many there.

Q. Did you see any flag, or any thing of that kind with them?

A. Yes there was.

Q. Describe what sort of a thing it was?

A. I believe the flag was red and white, and I believe the other colour was green.

Q. Was it fastened to any thing?

A. Yes it was.

Q. What was it fastened to?

A. Fastened to something of a pole.

Q. Was it flying at the end of a pole?

A. Yes it was.

Q. And the colours according to your recollection was green, red, and white?

A. Yes, I think those were the colours.

Q. Do you know who carried that flag?

A. No.

Q. Had any of the persons that you recollect any cockades in their hats?

A. Yes, I discovered, I think, it was one or two; I do not positively know whether there was more or less, one or two I recollect.

Q. Do you recollect what the colour of the cockades was?

A. No, I did not notice that.

Q. You saw those people in Bethnal-green Road first, which way did they proceed?

A. They were proceeding towards Shoreditch.

Q. Did the persons with the cockades, and with the flag, proceed from Bethnal-green Road?

A. Yes, to Shoreditch.

Q. Did you accompany them?

A. I followed.

Q. From Shoreditch where did they go to?

A. From Shoreditch they went towards the church.

Q. Did they go to Spa Fields?

A. Yes, they did.

Q. When they got to Spa Fields, do you know the place called the Merlin's Cave?

A. Yes, I believe that was the place where Mr. Hunt spoke from.

Q. When you got to Spa Fields, did you see any waggon there?

A. Yes, I did.

Q. Were there many people when you came with this party, whom you had accompanied from Bethnal-green?

A. Yes, a great number indeed.

Q. After you got to Spa Fields, did you see what was done with the flag that you had first seen at Bethnal-green?

A. It was put up into the waggon that stood there.

Q. Were there people in the waggon?

A. Yes, there were people in the waggon.

Q. Did you hear any persons speak from the waggon?

A. Yes, I heard a person speak from the waggon, but there were very few words I could make out.

Q. Did the person, who spoke from the waggon, appear to you to be a young or an old man?

A. He appeared to be a young man.

Q. Did you observe his hat?

A. No, I did not particularly observe his hat.

Q. Did you observe any cockade?

A. I think to the best of my recollection there was a cockade.

Q. Are you speaking now of the young man that was speaking from the waggon?

A. It was a young man that I speak of.

Q. To the best of your recollection he had a cockade?

A. I think so.

Q. Did you hear any particular words that he addressed to the people?

A. I remember the words he spoke—he spoke rather loud, and I heard him ask the persons, whether they would like to be fed on ox-bone-beef soup; I believe those were the words.

Q. Did you hear any more expressions?

A. He asked them if they would put up with it.

Q. Was any answer given to this question addressed to the people?

A. They said no, they would not.

Q. Was that the answer of an individual, or the answer of the persons gathered round?

A. The answer of the persons round.

Q. Did you hear any other words?

A. There was another word I heard him say, but being so long I have forgotten the word—my recollection is not very good, and I have forgotten the words.

Q. It is some time ago, certainly—you do not recollect any particular words?

A. By missing that word—by passing that word, I can inform you a little further.

Q. Inform us, as far as your memory goes, of what he said.

A. Passing by that word, he asked the people if he jumped down from the waggon, or got down and went first, would they follow him?—the answer by a great many was Yes.

Q. What did the young man then do, who had addressed this to the people?

A. He got down from the waggon, and went first—a great ny persons followed him.

Q. Did you then pay attention to the people that followed n?

A. No.

Q. Did you see which way they went?

A. They went out from the Field towards the prison.

Q. Towards Cold Bath Fields prison?

A. Yes, there is a prison there, close by the Fields.

Q. You did not follow them, I believe?

A. No, I did not.

Q. You did not pay any further attention to them?

A. No.

Cross-examined by Mr. Serjeant Copley.

Q. Was the person you attended to speaking when you st got into the field?

A. I was there in the field at the time when the flag went, erefore I was there when he first got up.

Q. You followed this flag from Bethnal Green from cu-sity, I suppose?

A. I was going to hear what Mr. Hunt should say.

Q. And seeing the flag you followed it?

A. Yes, for I did not know my way to Spa Fields rightly.

Q. Did you fall upon this party by accident, that you companied?

A. Yes, I was going.

Q. Were they going to hear Mr. Hunt too?

A. I do not know, I understood the flag was going to a Fields.

Q. There were many other persons besides you, who were ing to hear Mr. Hunt that day?

A. A great quantity.

Q. You were curious, of course, to know every thing that ned?

A. No further but as I had little to do, I took a walk that way.

Q. For the purpose of informing yourself, you got as near the waggon as you could, I suppose?

A. No, I was not very near the waggon.

Q. How near were you to the waggon?

A. I cannot say, there were a great many people there.

Q. You went there to hear Mr. Hunt speak?

A. Yes, I did hear Mr. Hunt speak.

Q. Were you as far from the waggon as you are from me?

A. I cannot say, it might be further, I cannot say.

Q. Or it might be about the same distance?

A. I cannot say, indeed.

Q. Tax your recollection, and tell me, whether it was about this distance or further?

A. I cannot say, I did not pay attention any further than I saw the waggon.

Q. Surely you can tell us, whether you were further off from the waggon than you are from me?

A. I cannot say, for I did not pay that attention.

Q. You did not leave the field with those people?

A. No.

Q. What became of them, you do not know?

A. No.

Q. Did you see any persons in the waggon before you came?

A. There were people in the waggon when the flag was put in.

Q. But you say you were there when this young man began his speech?

A. A very short time.

Q. Might it be two or three minutes?

A. It might.

Q. During that time what were the people doing?

A. I do not know what they were doing.

Q. You did not hear any body else speak?

A. Only that young man that I know of.

Q. He began to speak two or three minutes after you came to the spot?

A. I cannot say how many minutes.

Q. There was a great deal of noise, and bustle, and confusion?

A. There was noise, and bustle, and confusion; I was rather deaf, and could not hear more than I have now stated.

Q. Though you will not undertake to say you were further from the waggon than you now are from me?

A. No, I will not.

Q. You told us you were examined about Christmas, was it before or after Christmas?

A. I believe it was before Christmas.

Q. How long was it after this meeting in Spa Fields that you were examined by Mr. Gifford?

A. I do not know, I do not recollect.

Q. Was it about a week, or shorter than that time?

A. I think it was more.

Q. Might it be a fortnight?

A. I have not noticed the time.

Q. Was it some time before Christmas day.

A. Yes, it was before Christmas day.

Q. Was it considerably before Christmas day?

A. I do not know, that has passed my recollection.

Q. Between this and Christmas day you were examined by Mr. Gifford?

A. Yes.

Q. I want to know whether you were afterwards examined at Hicks's Hall?

A. No.

Q. Were you ever examined before any Grand Jury upon this subject?

A. No.

Q. Was that the only examination you passed on the subject of these proceedings at this meeting?

A. I was sent for by Mr. ———, I do not recollect the gentleman's name, in Stone-buildings.

Q. How long ago was that—was it before Christmas?

A. No, it was since Christmas; I attended Mr. Litchfield when he sent for me.

Q. Then with the exception of the examination by Mr. Gifford, and by Mr. Litchfield, you have not been examined before on this transaction?

A. No.

Q. Did you stay to hear Mr. Hunt's speech?

A. I did.

Q. There were a great many people there?

A. A great number indeed.

Q. Was there one of those three-coloured flags hanging out of the window?

A. I did not see it.

Q. Did you attend the former meeting on the 15th of November?

A. I was at one of the meetings at Spa Fields.

Q. Being at two of the meetings, were you at one meeting that took place before this meeting with respect to which you have been giving evidence?

A. The other meeting I was at was before this.

Q. Did you hear Mr. Hunt speak at the former meeting?

A. I heard Mr. Hunt speaking from the window.

Q. At that time there was one of those three-coloured flags hanging out of the window?

A. Yes, that was the first time I recollect seeing it.

Q. Did you go into the house where Mr. Hunt spoke?

A. I was in the bottom part of it.

Q. Did you go up stairs in that house?

A. I did not.

Q. Did you hear the resolutions proposed by Mr. Hunt?

A. I recollect his proposing to attend there that day six weeks, I think he said.

Q. Try and tax your recollection, and let us know whether it was so or was not.

A. I will tell you as far as my recollection will enable me.

Q. What did he say as to the time when the next meeting was to take place?

A. I positively cannot recollect any particular words that he spoke.

Q. Cannot you tell us the time at which he proposed the next meeting should be held?

A. I understood, to the best of my knowledge, that we were to meet that time six weeks.

Q. You were attending at that time to what he was saying, as much as you were attending to those speeches the second time?

A. Yes, I paid what attention I could.

Q. You paid what attention you could at the first meeting, as well as the second?

A. Yes.

Q. So that if you are mistaken as to what passed at the first meeting, you may be also as to what passed at the second meeting.

A. I cannot be sure of what it was.

Q. According to your recollection, Mr. Hunt proposed, that they should adjourn to that day six weeks.?

A. Yes.

Q. Perhaps your recollection is not very good?

A. No.

Q. It is a very imperfect recollection and memory?

A. It is so long ago, that I have informed you all that lay in my power.

Q. Have you an imperfect recollection, is your memory bad?

A. Yes, it is rather so.

Q. You tell us you heard some resolutions proposed by Mr. Hunt, were those resolutions proposed to the meeting for their adoption put to the vote.

A. Yes, I remember he asked the people concerning Mr. Burdett, and the Petition.

Q. Did he ask the people as to the time when they were to meet again—did he put that to the vote?

A. He mentioned it to the people, and they agreed, that Mr. Burdett was to accompany him; that was the first time you allude to.

Q. You say something passed as to the next time the meeting was to be held, was that proposed by Mr. Hunt to the meeting for their consent?

A. To the persons.

Q. To the people there assembled?

A. It was put to the vote of the meeting, and they agreed to it.

Q. Mr. Hunt put it to the vote?

A. Yes, as I understood it.

Q. Let me be quite sure, that I do not mistake you as to this point; you say, Mr. Hunt proposed sometime, at which another meeting should be held, did he propose to the people, and put that to the vote to know whether they would adopt it or not?

A. Yes, he put it to the vote, and they agreed that they would meet him.

Q. At the time that he named?

A. Yes, at the time he named.

Q. And it was put to the vote by Mr. Hunt himself?

A. Yes, to the best of my recollection.

Re-examined by Mr. Topping.

Q. I shall not trouble you about this first meeting.—At the last meeting, my learned Friend has asked you whether you remained, after a part of the mob and the people were gone away?

Mr. Serjeant Copley. I beg your pardon one moment.—You told my learned Friend that you followed this flag, because you did not know your way to Spa Fields?

A. I had been there once, but I did not know the exact way;—when I went the first time I did not know whereabouts it was—I went a long way out of my way, when I went to Spa Fields—I came home with some friends, that was the first time; on the second meeting, when I went, I followed the flag.

Q. You told us you did not know your way to Spa Fields the second time you went,—then to a question put by my learned Friend on his examination, you said you followed the flag, because you did not know the way to Spa Fields—that was the second time?

A. I cannot comprehend you rightly; the first time I went I did not know my way to it.

Q. That will not answer my purpose?

Mr. Attorney General. I must beg that he may be permitted to finish his answer.

A. The first time I did not know the way, and the second time I followed the flag, because I did not know the direct way.

Mr. Serjeant Copley. The first time you returned from Spa Fields home again?

A. Yes.

Q. You returned back again with some persons who of course directed you the way?

A. The second meeting?

Q. I talk now of the first meeting, and you know that I am talking of the first meeting,—you say that the first time you went out of your way,—did not you return with some friends?

A. Yes.

Q. And yet you did not know your way the second time?

A. No.

Q. Though you had been once and back again?

A. Yes; though I had been once, I did not know the direct way.

Q. Though you had been once, had deviated, and had returned with friends who shewed you the way, you did not know your way again the second day?

Mr. Attorney General. I beg your pardon, he said he did not know his direct way.

Mr. Justice Abbott. What he said the first time was, that he did not know the way rightly, and followed the flag.

Mr. Serjeant Copley. Was your son with you?

A. I saw him there as the flag was going.

Q. Do you mean in Bethnal Green?

A. I saw him somewhere about Church-street, or near Shoreditch,—I cannot say rightly where I first saw him.

Mr. Topping. The time you have been speaking of was when your son was there?

A. Yes.

Q. My friend has asked you whether you remained to hear Mr. Hunt speak?

A. Yes, I did.

Q. He has asked you whether you saw a flag flying,—do you know what became of the flag that was in the waggon?

A. No, I do not.

Q. Did the flag remain in the waggon?

A. No, it was taken away from the waggon, but what became of it I cannot tell.

Q. Was it taken away from the waggon when he jumped down?

A. Yes, and the people followed him—a great many followed him.

Q. Did the flag go with them?

A. As far as I saw—yes, it did.

Q. This young man you say spoke very loud?

A. He spoke his words very loud.

Mr. Serjeant Copley. That was not what he said, and that is not the way to examine a witness.

Mr. Topping. My learned Friend Mr. Serjeant Copley and I are at issue upon this.

Mr. Serjeant Copley. I do conceive my learned Friend is very irregular, what he said was, "I heard those words because they were spoken very loud," but he applied no such term to the general tone of the speaking.

Mr. Topping. That is just what I said, that he heard those expressions because they were spoken very loud.

Mr. Serjeant Copley. That is not the way to examine a witness, setting the rules of evidence at defiance; and I beg it may not be pursued.

Mr. Topping. When an objection is made, I will answer it.

Lord Ellenborough. You had better not address one another by these admonitions, they are not those which ought to be addressed to any gentleman, and that course had better not be pursued, it produces irritation.

Mr. Serjeant Copley. I am very sorry we do not always regulate our expressions at the moment; I am sorry I have addressed myself to Mr. Topping, but I address my objection to the Court, that the words of the question carried the answer further than the first answer of the witness had done.

Lord Ellenborough. What were the words put into his mouth which he had not said?

Mr. Serjeant Copley. That he had said, that this young man who addressed the meeting, whoever he was, had spoken generally very loud.

Mr. Gurney. There was no such word as generally.

Mr. Serjeant Copley. I do not state that Mr. Topping made use of the word generally, but his question applied as to the generality of what was said.

Mr. Justice Bayley. According to my note I have taken down, "a person spoke from the waggon, a young man; I heard but very few words, to the best of my recollection,

he had a cockade, he spoke rather loud, he asked the people whether they would like to be fed on ox-bone-beef soup, he asked them if they would put up with it, they said, "no, they would not," that is my note of it.

Mr. Topping. I am very glad your Lordship has read from your note.

Lord Ellenborough. I have taken, "they were rather loud, he asked the people would they like to be fed on ox-bone-beef soup—would they put up with it?"

Mr. Topping. My Lord I must, in vindication of myself, just say, and I hope not indiscreetly——

Mr. Justice Abbott. Would it not be better to let the matter rest?

Mr. Topping. No, my Lord, it is made a matter of serious charge, that I have been violating the first principles of my profession; if my learned friend knew me better, he would know that was not my practice, that is a charge which ought not to be made in a Court of Justice.

Lord Ellenborough. Those words I think were incorrect.

Mr. Serjeant Copley. My Lord, I did not mean, by those words, to charge my learned friend with any thing which should hurt his feelings, but one does not always measure ones expressions at the moment.

Lord Ellenborough. Those words were certainly incorrect, but I think we had better forget that they were used, and go on with the business; without great care these things will be always occurring, but the sooner they are passed over the better.

Mr. Justice Abbott. I think you said you were going to Spa Fields that day that you saw the flag?

A. Yes.

Q. You knew there was to be a meeting at Spa Fields that day, before you saw the flag?

A. Yes, by what Mr. Hunt had said.

Mr. John Stafford sworn.

Examined by Mr. Gurney.

Q. You are chief clerk at Bow-street?

A. I am.

Q. On the 2d of December last was there a large concourse of people assembled in Spa Fields?

A. There was.

Q. Did you know there was to be a meeting there on that day?

A. I did.

Q. You had seen placards on the walls in the streets?

A. Yes.

Q. The bills that were proved in Court yesterday?

A. Yes, the same large bills and small ones too.

Q. Had you been at the former meeting on the 15th of November, and seen it?

A. Yes, I had.

Q. From what place did Mr. Hunt and those persons who addressed the meeting then address them?

A. From the window of the house, called the Merlin's Cave.

Q. You now speak of the 15th of November?

A. Yes.

Q. Did you see any flag displayed from the window of the Merlin's Cave on the 15th of November?

A. I saw a flag close to the house, I am not sure whether it was displayed from the window or not.

Q. Was the flag displayed?

A. Yes, it was.

Q. I will thank you if you will describe that flag, was it of one or more colours?

A. Of three colours.

Q What were they?

A. Green, white, and red, a large flag upon a pole.

Q. Was there any inscription upon it?

A. There was.

Q. Can you repeat the inscription?

A. I could not make out the whole of the inscription on that day; I saw some words, "Nature, Truth, and Justice," and something else, which I could not make out; but the wind blew the contrary way, and I could not make out the words, those words were in larger letters than the other and more distinct.

Q. Did you hear the proposition for the adjournment of that meeting?

A. No, I was not near enough to hear what passed.

Q. Now I will come to the second of December: you say, having seen the placards, you knew there was to be a meeting on that day, and you attended in the field on that day?

A. I did.

Q. You had a great many police officers, I suppose, there?

A. A great many in attendance.

Q. At what time did you expect the business of that meeting to commence?

A. About one o'clock.

Q. And I suppose at the Merlin's Cave?

A. At the Merlin's Cave.

Q. What time did you arrive there?

A. I think about half-past twelve, as nearly as I can state.

Q. Did you find any great number of persons there?

A. A great number, I had seen some going there, that led me there, sooner perhaps than I should have gone.

Q. Do you mean by a great number hundreds or thousands?

A. Thousands.

Q. Did you find any part of the populace assembled at any part of the field different from the Merlin's Cave?

A. Yes, the lower part of the field, next to the chapel.

Q. That is some hundreds of yards from the Merlin's Cave?

A. Quite the other side, the hither side, the Merlin's Cave being on the other side.

Q. The side of the fields next Coppice Row in short?

A. Yes.

Q. About what object did the populace appear there to be assembled?

A. A waggon, the horses of which had been taken from it, a large four-wheeled waggon, with a great number of persons in it.

Q. Were there any flags fixed upon that waggon, or held in it?

A. Yes, two flags, one of them was the flag I had seen at the preceding meeting.

Q. The flag with the words "Nature, Truth, and Justice?"

A. Yes, and then I took my pencil, and took down the words accurately.

Q. What were the words?

Mr. Wetherell. There is no doubt what the words were.

Mr. Gurney. We will produce the flag; was it not "Nature to feed the hungry—Truth to protect the oppressed—Justice to punish crimes."

A. Yes.

Lord Ellenborough. You say you have the flag here?

Mr. Gurney. Yes, my Lord, we shall prove it to have been taken at the Royal Exchange afterwards.

Mr. Justice Abbott. Probably this witness does not identify the flag otherwise than as having those words upon it?

Lord Ellenborough. If you have the flag here, it will perhaps save time to take it now.

Mr. Wetherell. The words are so notorious it is not necessary to prove them.

Mr. Gurney. Mr. Hobler is here with the flag.

(Mr. Hobler, the Lord Mayor's clerk, produced the flag.)

Mr. Gurney. We only want the flag now, we shall swear you afterwards, and prove where it came from.

The Flag was produced with the Inscription,

NATURE FEED THE HUNGRY,
TRUTH TO PROTECT THE OPPRESSED,
JUSTICE PUNISH CRIMES.

A. This side of the flag being next the staff, I was enabled to see them more distinctly.

Mr. Gurney. The word *to* serves for all the three. That appeared to you to be the same flag that had been displayed at Merlin's Cave on the former meeting?

A. It did.

Q. Was there any other flag displayed from the waggon?

A. There was another flag consisting of the same colour, but without any inscription.

Q. Besides the two flags was there any banner?

A. There was, between the two flags in the centre.

Lord Ellenborough. There was a banner you say? I do not know any distinction——

Mr. Gurney. That is, on a frame?

Lord Ellenborough. We had better have a description of it.

A. It was on a frame, a large frame of deal board, on a pole, with a piece of calico, I think, on the centre of it, and on that calico there was an inscription.

Q. What was the inscription on that calico?

A. "The Brave Soldiers are our Brothers, treat them kindly."

Q. Do you remember whether the word was brothers or friends?

A. I have some doubt about it, but I think it was brothers from the memorandum I have got—I see I have got the word brothers.

Q. That being fixed within a frame did not flutter in the wind like the flags?

A. Not at all.

Q. It was quite legible?

A. It was.

Lord Ellenborough. Had you seen that on the former day?

A. No, my Lord.

Mr. Gurney. At the former meeting you had seen only his flag that was produced?

A. Only that.

Lord Ellenborough. How many flags did you see on that day?

A. Two.

Mr. Gurney. I believe on the next day you made a sketch of the waggon?

Mr. Wetherell. It would be very easy to describe people standing in a waggon.

Mr. Gurney. It is not the description of the people in the waggon, but of the flags, that I am enquiring to——

Mr. Wetherell. I object to the description in writing, it is matter of verbal description.

Mr. Attorney General. My Lord, I cannot conceive the objection.

Lord Ellenborough. Go on, go on.

Mr. Gurney. Is that the drawing?

Mr. Wetherell. I object to this, my Lord, it is matter of verbal description, not of description by a drawing.

Lord Ellenborough. Can there be any objection to the production of a drawing, or a model, as illustrative of evidence—surely there is nothing in the objection.

(The Witness produced his drawing of the waggon, with a flag at each end, and the banner in the centre.)

Lord Ellenborough. When was this made?

A. The next day.

Mr. Gurney. Were there persons in the waggon when you arrived?

A. Yes, the waggon was full.

A Juryman. My Lord, we wish to see the drawing.

Mr. Gurney. I believe there are some words written under-

neath it which the Jury might as well not see, if it is handed to them.

Lord Ellenborough. I have doubled down the words, I suppose they are explanations of something in the drawing, I did not read them.

It was handed to the Jury, and then to Mr. Wetherell.

Mr. Gurney. You say the waggon was full of persons?

A. It was.

Q. I do not know whether you know any of the persons that were in the waggon?

A. I did not at that time.

Q. Do you now know any of the persons that were in that waggon?

A. The prisoner Watson.

Q. Do you recollect seeing any other of the prisoners in that waggon?

A. No.

Q. At the time you arrived was there any person addressing the populace from that waggon?

A. Yes, a young man.

Q. Not this Mr. Watson?

A. No; if I am accurate in my recollection, Mr. Watson stood close to that young man who was addressing the people rather behind him.

Q. Can you form any judgment of the number of persons surrounding the waggon?

A. I doubt whether I can form any thing like an accurate judgment—I can certainly conjecture.

Q. Were there a great number?

A. Yes, I should think some thousands.

Q. Were you near enough to the young man who was speaking to hear his speech?

A. I certainly heard many words, but I cannot from recollection undertake to recite them accurately, I made no minute of them.

Q. Did he speak loud?

A. One was loud, and the mob repeatedly cheered his speech, it seemed to consist principally of interrogatories.

Q. The cheers were while he was speaking?

A. Yes.

Q. And what you heard seemed to consist principally of interrogatories?

A. Yes.

Q. The mob returned cheers?

A. Yes, they did.

Q. Do you remember whether the mob returned any thing but cheers, did they give answer to any of his interrogatories?

A. Yes, sometimes an answer of no, no, sometimes of yes, yes, and then a huzza.

Q. Did you then quit that spot, and proceed towards Coppice Row?

A. I did.

Q. Leaving the young man speaking?

A. Leaving him speaking.

Q. Shortly after you had quitted the spot, what did you observe?

A. I heard a greater noise than usual.

Q. Do you mean proceeding from that spot?

A. Yes, and I turned my head round, I was not more than fifty or sixty yards from the waggon, I turned round and saw them all in the act of jumping down from the waggon.

Q. Those that were in the waggon?

A. Yes, and I saw the flags moved from the waggon, and the frame also.

Q. The banner?

A. Yes.

Q. Then, did the mob move towards you?

A. Yes, towards the corner of Coppice Row.

Q. Which way did the banner move?

A. The whole torrent seemed to be directed the same way.

Q. Towards Coppice Row?

A. Yes.

Q. Were the flags and the banner accompanying that torrent?

A. Yes.

Q. Did the flags and the banner lead the mob, or follow the mob?

A. Part of the mob preceded them.

Q. A large or a small part?

A. A small part.

Q. When the flags approached you what did you do?

A. I had previously looked round for some of the officers, to procure assistance, I did not see any on the spot, and as one of the flags came abreast of me, the one without an inscription——

Q. The three-coloured flag without an inscription?

A. Yes, I rushed from the foot-path, and seized hold of it.

Q. On your seizing hold of it, what was done by the bearer, and those around him?

A. I made an effort to break the pole on which it was raised, but I found it was a stem of a young tree, and was too strong for me, but I got it down, and my foot upon it, and I called out for help, and John Limbrick came to my assistance.

Q. Were you resisted by the standard-bearer and others?

A. Yes, very much, and was at last driven from the flag, but with a part of it, a slip of green remaining in my hand.

Mr. Justice Abbott. It was torn.

A. Yes, it was, and a slip of the green remained in my hand.

Mr. Gurney. Did Limbrick do any thing with respect to the frame or the banner?

A. I turned on my right hand and saw Limbrick struggling with the man who had the frame; he had hold of the end of it, and the man who held it; it was partly down and

I jumped upon it, and broke the frame in, and got a part of it.

Q. What use did you make of it when you got hold of it?

A. As a weapon of defence.

Q. Were you attacked?

A. Yes, I have got it here—*(producing it.)*

Q. That is part of the green?

A. This is the slip of the green that remained,—this is the height of the frame—*(producing a piece of wood about a foot long.)*

Q. Is that one side of the square?

A. Yes, that was the height of the square, it was not so broad as it is long.

Q. Was that frame seized?

A. Yes, this remained in my own possession.

Q. Was the other part of the frame seized?

A. Limbrick pulled the inscription out of it, and the other part, I believe, was taken by another Officer.

Q. How soon afterwards did you see it?

A. I did not see it for a long while afterwards.

Q. It was taken to the House of Correction?

A. The flag was taken to the House of Correction—this remained in the possession of Limbrick; the next time I saw it, was in his possession, which was not till some time afterwards?

Q. Did the mob then proceed towards Smithfield?

A. Yes, this struggle hindered them a little, but the press from Spa Fields was so great, that they pushed every thing on.

Q. You could not stop them?

A. No, I got on one side with what I had secured.

Q. The mob went on to Smithfield?

A. Yes.

Q. That is in a direct line towards Skinner-street?

A. Yes, in a direct line.

Mr. Gurney. I do not propose proceeding further with Mr. Stafford's examination; the other parts to which I propose examining him will come in better in a further part of the case.

Cross-examined by Mr. Wetherell.

Q. You say you took that green piece out of the banner?

A. No, out of the flag.

Mr. Gurney. Out of the flag without the inscription?

Mr. Wetherell. I understood you, you saw two flags and one banner in the waggon?

A. Exactly so.

Q. Had both the flags the same inscription of "Nature, Truth, and Justice?"

A. No, one had no inscription.

Q. And the other had the inscription you have mentioned?

A. Yes.

Q. And the banner had the inscription as to the soldiers you have described?

A. Yes.

Q. Do you mean to say, that the flag with the inscription "Nature, Truth, and Justice," was the same or a similar flag, to that which you had seen on the former meeting?

A. I cannot say it was the same—it was a similar one.

Q. I thought you mistook, you said it was the same?

A. It appeared to me to be the same.

Q. You say you attended the meeting at Spa Fields, on the 15th of November?

A. I was present.

Q. Were you near enough to the Merlin's Cave to hear any resolution announced as to a future meeting?

A. No, I did not hear any thing distinctly, but a part of Mr. Hunt's speech.

Q. Were you there at the time of the close of Mr. Hunt's speech?

A. I was there, but too far off to hear it; for as the mob advanced I retired.

Q. Were you near enough to hear a future meeting fixed?

A. I was not.

Q. Were you near enough to see the frame of the window from which Mr. Hunt spoke, taken out?

A. I think I saw them in the act of taking it out, but I have not mentioned that, I should not have thought of it.

Q. Did you go into the gentleman's house, Mr. Monkhouse's house, who keeps the Merlin's Cave, after the meeting was over?

A. No, I did not, I did not go into the house at all.

Q. Did you see any of the Magistrates going into the house?

A. No, I saw some Magistrates in the field, I did not see any of them enter the house.

Q. And you did not yourself, in fact, go into the house?

A. I did not.

Q. But, you saw them taking out the window?

A. Yes.

Q. At the second meeting on the 2nd of December, you say you were there?

A. Yes.

Q. Now, I ask you in point of fact, whether the police officers from all the police offices in London, were not present in Spa Fields, or near Spa Fields on that day?

A. I saw a great many, and I believe they were all there.

Q. You are the head Clerk at the office in Bow Street?

A. Yes.

Q. In point of fact, did the Magistrates at Bow Street order the whole of the Police Establishment to attend at the meeting in Spa Fields, on that day?

A. Yes, there was a general order for their assistance.

Q. Of how many police officers does your establishment at Bow Street consist?

A. About one hundred.

Q. Were all these hundred police officers present in Spa Fields, or in the neighbourhood of Spa Fields?

A. No, I should think not, there were many engaged in other ways, perhaps seventy or eighty of them were there.

Q. About how early in the morning were you ordered to attend, and the other officers?

A. I cannot precisely recollect, I should think as early as ten or eleven o'clock.

Q. In point of fact, were you there as early as ten or eleven o'clock?

A. No, I was not.

Q. What time did you go there?

A. It was, I think, after twelve o'clock, I went from the Sessions House, Clerkenwell.

Q. But the inferior officers were ordered to be there by ten or eleven o'clock?

A. Yes; the reason of my going was, seeing the flag rising up from Clerkenwell Green.

Q. It was not your duty, like that of the common police officers, to attend?

A. No.

Q. How many police offices are there?

A. Seven, besides Bow Street.

Q. The police officers of all those offices were desired to attend?

A. So I understood; I can speak to nothing distinctly only as to Bow Street.

Q. Did you see them there?

A. Yes, I saw them there from many of the offices.

Q. Have you any doubt that there were some officers from each of the seven police offices in London there?

A. I have no doubt but there were some from each, and that they were all ordered.

Q. In point of fact, do you know of an order being sent to the magistrates at Bow Street, to give a general direction that all the officers should attend?

Mr. Justice Bayley. Is that a verbal order?

Mr. Wetherell. I confine it to that; do you know of a verbal order being sent down by the magistrates of Bow Street to the other offices, that all the officers of the other offices should attend?

A. No.

Q. Did you go round, as you are at the head of the establishment, to the other offices, to direct that the officers should attend?

A. No, nor did I direct any body to do so.

Q. Were you present at a meeting of the magistrates of the different police offices before the second of December?

A. No.

Q. Before the second of December were you present at a meeting of any of the magistrates, to take measures to compel the attendance of the police on the second of December?

A. No.

Q. Were you present at a meeting of the magistrates of your own office, Bow Street?

A. I do not recollect a particular meeting, I had several conferences with them.

Q. I do not mean any particular meeting, but a meeting of the magistrates at which they determined that the Police should attend?

Mr. Attorney General. My Lord, I should be very sorry to interrupt Mr. Wetherell in that which he considers material to his clients, but I cannot perceive how any thing which passed between the magistrates can be material.

Mr. Wetherell. My learned friend will not see that I [illegible] not the means, but the end; I mean to prove by the [illegible] witnesses, or my own, that the meeting was so [illegible] that all the police officers were ordered to attend [illegible] one must see that the notoriety and publicity of this [illegible] ing, on the 2d of December, is a material part of this [illegible] tion; I only ask to the fact of directions given, and [illegible] taken by all the magistrates to compel the attendan[illegible] the police? I apprehend that is a fair question.

Lord Ellenborough. If the magistrates, in the appr[illegible] sion of tumult, did order their attendance, that [illegible] asked if it is material.

Mr. Wetherell. I am not to disclose my argument [illegible] only have a right to have the fact—the magistrat[illegible] meet to give directions to their own officers to attend.

A. Most certainly, the officers at Bow-street did att[illegible]

Lord Ellenborough. What they ordered may be [illegible] enough, but not what passed at their consultations, th[illegible] cannot go into.

Mr. Wetherell. No, my Lord, I ask only as to the [illegible] tions.

Lord Ellenborough. Do you happen to know what [illegible] tions were given?

A. Certainly, the officers at Bow-street were direct[illegible] attend.

Mr. Wetherell. You speak to the direction to the [illegible] of your own office, but were not present at a meeting [illegible] aggregate magistrates, at which such a thing was sett[illegible] to them?

A. Just so, I certainly saw several officers belongi[illegible] other offices present.

Q. Did you go to the top of the field on the 2d [illegible] cember?

A. I did not.

Q. Did you see any soldiers?

A. I know there were none in the field.

Q. Did you see any near Spa Fields?

A. I did not.

Q. Do you know that a direction was given, that the military should attend near the field?

A. I had heard——

Lord Ellenborough. You cannot ask what he had heard.

Mr. Wetherell. Do you know the fact, that any of the king's troops were directed to attend in the neighbourhood of Spa Fields?

A. I was informed——

Mr. Attorney General. You must not state what you were told.

Mr. Wetherell. I merely ask you what you saw and heard, I ask you whether any of the military attended in the neighbourhood of Spa Fields on the 2d of December?

A. Then I do not know, I did not see any.

Q. Did you yourself, as a fact, give any directions to any military force to attend?

A. I did not.

Q. During the course of that day had you any, and what communication with any parties of the king's military force upon that subject?

A. None.

Q. How near were you to the waggon?

A. At one time I got, I think, within fifteen or twenty yards of it, but that was a very short time.

Q. Which of the magistrates did you see on the 2d of December in or near Spa Fields in the course of the morning, mention the names of them?

A. I saw Mr. Baker near the waggon, and I am not quite certain whether I saw Sir Nathaniel Conant and Mr. Hicks; Mr. Baker I am certain to, I spoke to him at the time this was going on.

Q. Mr. Baker was in the field?

A. Yes, and I asked him if it was to be suffered—I said this to be suffered, sir?

Q. Sir Nathaniel Conant and the other gentlemen you are not quite so sure of?

A. No.

Q. Endeavour to recollect as to them?

A. I really cannot form a belief about it, I was inclined at first to think that I did, but I cannot be sure, I have no doubt that they were there.

Q. You have no doubt that they were?

Mr. Attorney General. Is that from your own conjecture, or from seeing them there?

Mr. Wetherell. This is your own witness, I do not want him to speak to his recollection stronger than he can think.—Do you know in point of fact, that any Magistrates had a room near Spa Fields, at which they met on the 2nd of December?

A. No.

Q. In Coppice Row?

A. No.

Q. You do not know that as a fact?

A. No.

Q. Or near Merlin's Cave.

A. No.

Q. You do not know in point of fact, that there was a house, or a room, within two or three doors of Merlin's Cave?

A. I do not know it as a fact—I have certainly heard it since.

Q. I do not ask that—you do not know it as a fact?

A. No.

Q. Did you see Mr. Baker, or any of the Magistrates, going into a room near Merlin's Cave on the 2nd of December?

A. No, I was never near Merlin's Cave on the 2nd of December.

Q. Besides those Magistrates, did you see a good many Constables near Spa Fields?

A. Near Spa Fields.

Q. Do you know how many special Constables were sworn in to attend at Spa Fields?

A. No.

Q. But you did see extra Constables!

A. I saw persons with staves in their hands whom I did not know, and therefore supposed them to be extra Constables.

Q. You do not know how many extra Constables attended at Spa Fields?

A. No, I do not, there were none sent down from Bow Street.

Q. When you had taken the flag away which way did you go,—did you go to Bow Street, or where did you go?

A. I followed the mob a short way down Coppice Row, and then I went to Bow Street; I saw them going in a direction towards the City, and I left them then and went to the Office.

Q. Were you examined at Hicks's Hall on any Indictment against any of the parties named upon this record?

A. No.

Q. Were you examined at the Old Bailey on Hooper's Trial?

A. No.

Q. Before the 2nd of December, had you seen any placards or advertisements about, announcing that there was to be a meeting on the 2nd of December?

A. Many.

Q. How many days before the 2nd of December had any of those placards come to your knowledge as a Police Officer?

A. Not more than two or three, I think.

Q. When you saw those placards, did you shew them to any Magistrates at Bow Street?

A. No.

Q. How many days before the 2nd of December, in point of fact, did the Magistrate give directions upon the subject of your attendance on the 2nd of December?

A. On the Saturday I think the orders were given.

Q. The meeting was on the Monday I think?

A. Yes.

Q. Do you mean the Saturday immediately previous?

A. Yes; the 30th of November.

Q. The directions you gave on Saturday the 30th of November.

A. So it strikes me.

Q. In point of fact, do you know of the Magistrates having been apprised earlier than that Saturday, of there being to be a meeting on that 2nd of December,—how many days previous were the Magistrates at Bow Street, in point of fact, apprised of there being to be such a meeting?

A. I only know of their being apprised by the printed bills.

Q. I do not mean by the printed bills?

A. I do not know of any other means.

Q. When did the magistrates meet to give orders for the attendance of the police officers?

A. There was no meeting for that purpose.

Q. Were the orders given by one magistrate?

A. They were given by Sir Nathaniel Conant.

Q. Is not your office at the head of the police of the metropolis?

A. I cannot say.

Q. We know you are the second in command, yours is the head office.

A. We assume to call our office at the head of the police.

Q. Is not your office the head office—is not Sir Nathaniel Conant the first magistrate in the police?

A. He is the principal magistrate.

Q. Is it not part of his duty to give directions for the police in London?

A. I wish to answer accurately.—Yes, I should certainly say it was his province.

Q. Do not you know, that Sir Nathaniel Conant, as the head of the police, has a particular room at the Secretary of State's office?

A. Yes.

Q. He has a room in the Secretary of State's office, in his character of head of the police?

Mr. Attorney General. My Lord, this is not of any consequence, but really this is not a proper question. How can Mr. Stafford know in what character Sir Nathaniel Conant has a room at the Secretary of State's office?

Mr. Wetherell. In point of fact, has not Sir Nathaniel Conant a room at the Secretary of State's office?

A. He has.

Q. The orders of Sir Nathaniel Conant, as head of the police, are orders which, in respect of his office, are issued to the police in London in general, are they not?

A. The orders generally issued to the police are from the Secretary of State's office, not from Sir Nathaniel Conant; he sometimes is the means through which the orders are conveyed.

Q. According to the fashionable phrase he is the organ?

A. Yes.

Q. Did you happen to be with Sir Nathaniel Conant, a few days previous to the 2d, on the subject of any directions to the police, on the 2d of December?

A. No; I do not recollect that I was.

Q. Do you mean to say, that before the 2d of December you were not present with him, on the subject of directions for the police to attend?

A. I was frequently with him, and conversed with him on the subject of the meeting; but I have no recollection of being present when any directions were given on the subject of the police.

Q. Then being present with him at a meeting——?

Mr. Gurney. My Lord, my friend Mr. Wetherell has stated, that his object is to have a particular fact, that the magistrates and police officers were in Spa Fields;—that has been stated, at least six times over, and any conversations between Mr. Stafford and the magistrates, I submit cannot be evidence in this case.

Mr. Wetherell. My answer to that is this, that the overt act charged in this indictment, and the matters connected with it, as to the procuring the meeting, are circumstances, which of course are materially connected with the publicity of the meeting; of course the publicity of the meeting is a question of fact, depending on other facts, whether magistrates and the public, and all other persons who had the right to prevent a meeting of the persons who attended, had or not notice and knowledge that such a meeting was to be held. I am not to disclose the use I shall by and by make of the fact, but the fact whether this was known as a proposed meeting, and what instructions and directions were given upon the subject, I submit is evidence.

Lord Ellenborough. Can you have better proof than the three first words uttered by the witness, that there were placards on the walls announcing the meeting?

Mr. Wetherell. That proves a part of the fact, but there are other facts; I am not obliged to disclose the arguments or deductions I shall in law or in argument infer from the fact, I want to prove the notoriety of the fact among the magistrates in London, a long time before the second of December, that such a meeting was to take place, and that preparations were made upon the subject, and directions given.

Lord Ellenborough. You have that fact; the notice was given to every person who saw that placard, and could read it, and that preparations were made, you have from the attendance of all the police officers, from all the police offices, on that morning, who cannot be supposed to have all come by accident.

Mr. Justice Abbott. That some hundreds and thousands of people were there also.

Mr. Wetherell. You say you were struck in taking the flag; were you hurt?

A. No; one man aimed a blow at me, which I think was Hooper, but I am not certain; and I threatened him with the stick I had in my hand.

Q. With that flag-staff?

A. Yes.

Q. One banner and one flag were destroyed by you, or in your presence—the banner and one of the flags?

A. Not destroyed, taken.

Foreman of the Jury. There is a question propounded by the Jury to be asked Mr. Stafford. Why did you not seize the flag at the first meeting?

A. I did not consider that I had any authority at all to seize the flag at the first meeting. The first meeting was quiet, there was not that indication of riot that commenced at the second meeting.

Q. I have one other question, why was it not seised then at the first meeting?

A. I have answered that; I conceived I had no authority to interfere, to seize, there was an immense meeting, but not that indication of tumult—the commencement of an insurrection, as I should describe it.

Mr. Wetherell. As you should describe it?

A. Yes, there was then a sudden impulse which induced me to seize it, from the manner in which they were passing.

John Limbrick sworn.

Examined by Mr. Richardson.

Q. I believe you are an Officer belonging to the Police Office in Hatton Garden?

A. I am.

Q. Were you in attendance in Spa Fields on the second of December?

A. I was.

Q. Whereabouts were you stationed?

A. At the Cobham's-head.

Q. Is that near the end of Coppice Row?

A. Yes.

Q. When you came there did you observe a waggon?

A. I did.

Q. Was the waggon in the field before you arrived?

A. It was.

Q. Did you go into the field and approach the waggon?

A. I did.

Q. Were there persons in it?

A. A great number.

Q. In and upon the waggon?

A. In and upon the waggon.

Q. Were there or not many other persons round the waggon?

A. A great quantity.

Q. What do you mean by a great quantity, hundreds or thousands?

A. I should think from two to three thousand.

Q. Were any persons in other parts of Spa Fields besides those who were round about the waggon?

A. There were.

Q. Round Merlin's Cave?

A. There were.

Q. Was there a considerable assemblage round there?

A. There was.

Q. Did you hear any persons speaking from the waggon?

A. I cannot say that I did; I heard a person speaking; I did not hear the words that he expressed.

Q. Perhaps you were not near enough to hear the words?

A. No, I was not.

Q. Did you see the Prisoner at the Bar, Mr. Watson senior?

A. I did.

A. Where did you see him?

A. In the waggon.

Q. Can you state whether he was speaking or not, while you were there?

A. I think he was speaking at the time that I was there.

Q. Can you state whether he was speaking or not, although you did not hear the words?

A. I should rather suppose he was speaking, but I was not near enough to hear the words, and therefore I cannot say.

Q. Was he either speaking, or near to the person who was speaking?

A. He was.

Lord Ellenborough. Do you speak from the motion of his lips, or from what other circumstance?

A. He was moving his hands, as if he was speaking.

Mr. Richardson. He was moving his hands in the way a person does when he is speaking?

A. Yes.

Q. Did you see any flag or banner?

A. I saw a banner with a man in sailors cloths holding it, and turning it right round to the mob in all directions.

Q. Do you know that man's name?

A. I think his name was Cashman.

Q. Was that the man who was tried at the Old Bailey?

A. Yes.

Q. Did you attend his trial?

A. I did; he was turning it right round in this manner, in all directions, to shew it to the people.

Q. Was it fixed at the end of a pole, so as to be elevated above the people?

A. Yes.

Q. Was it by a slow motion that he turned it round?

A. Yes.

Q. Exhibiting it to the people?

A. Yes.

Q. Besides the banner, were there flags?

A. There was another tri-coloured flag, that was also held by a person dressed in sailors clothes;—that was a large flag.

Q. Was there an inscription upon the banner?

A. There was, but I did not read it.

Q. Did you see any other flag?

A. There was another tri-coloured flag, a smaller one.

Q. Were both the flags tri-coloured flags?

A. They were.

Q. Had both or either of them inscriptions upon them?

A. No, only one of the tri-coloured flags had an inscription, the other had not.

Q. Do you know the person of Hooper?

A. Yes.

Q. You saw him afterwards at the Old Bailey?

A. I did.

Q. Can you state whether you saw him in Spa Fields at that time?

A. I did.

Q. Where did you see him?

A. In the waggon.

Q. Did you see any cockades?

A. He had a cockade in his hat.

Q. Was that of one or more than one colour?

A. Three colours.

Q. A tri-coloured cockade?

A. Yes.

Q. Were you in the field at the time when the people t the waggon, or had you at that time returned to ppice-row?

A. I had returned then to the Cobham's Head.

Q. Before the people, whom you saw in the waggon, left waggon?

A. Yes.

Q. What was your attention next called to,—to what was ing in the fields?

A. I was coming out of the Cobham's Head, I think, ly about twelve o'clock.

Q. How long was that after you had heard them in the ggon?

A. I suppose about an hour, or three quarters of an hour, annot speak exactly as to the time.

Q. What called your attention there?

A. I heard a noise, and I looked towards the fields, and I the mob coming; and I saw Mr. Stafford trying, and t he had got hold of the pole of one of the flags, and s calling for help.

Q. The mob were then coming towards Coppice-row.

A. Yes.

Q. Did you go to Mr. Stafford's assistance?

A. Yes.

Q. Tell us what was done?

A. Directly I ran up, took out my staff, and catched hold the pole, and tried to pull it down; and then I ran to banner, and we pulled that down.

Q. You; assisted by another officer?

A. I assisted Mr. Stafford.

Q. Was there a struggle in effecting that?

A. There was.

Q. Did you succeed in getting possession of the banner?

A. We did.

Q. Is that part of it in your hand?

A. Yes, we broke the frame, and tore off the canvas off.

Q. You said there was a struggle, did you receive any blows, or was any thing said?

A. There were words said, I could not see particularly whether there were any blows, I was not struck myself.

Q. Did you hear any cry of the mob respecting yourself?

A. "Cut him—cut his bloody head," or some words like that.

Q. Your attention was principally directed to the object you had in view, in getting possession of the banner?

A. It was.

Q. Having got it down, you tore out the canvas?

A. I did.

Q. Is that the canvas you tore out?

A. Yes, this is it.

It was produced, and the inscription read as follows— "The brave Soldiers are our Brothers, treat them kindly."

Lord Ellenborough. It is calico, is not it?

Mr. Gurney. Yes, my Lord, it is.

Mr. Richardson. Did you see in Coppice Row any of the persons, either Watson or Hooper, that you had seen in Spa Fields?

A. I saw Hooper.

Q. Where did you see him?

A. Coming back from the Fields, he was in procession in front.

Q. At the time you were struggling to get possession of the banner did you see him?

A. Yes.

Q. Was he near to you?

A. Yes, he was very busy.

Q. How do you mean busy?

A. Struggling to get it away from us, I suppose—the mob was very pressing upon us.

Q. Which way did the mob go then?

A. They went in three directions; some went back, some went towards the House of Correction—towards Gray's Inn Lane, and some went down Coppice Row.

Q. That leads towards Smithfield?

A. Yes.

Q. Which way did the principal body go?

A. Towards Smithfield.

Q. Mr. Stafford and you had then got possession of the banner, and one of the flags, the smaller one, without the inscription?

A. Yes.

Q. Did you observe what became of the other flag?

A. That flag that had got the inscription on it was quite back in the mob, not in front.

Q. Did you observe which way they went?

A. I think they went towards Smithfield, but I will not be sure, it was some distance from me.

Lord Ellenborough. That flag was larger than the other, was it?

A. A great deal larger.

Mr. Richardson. You say you think they went towards Smithfield, but you are not sure of that fact?

A. Yes, I think they went towards Smithfield—they were holding it up in the mob.

Q. Do you know the person of Preston?

A. I do.

Q. Did you see him during any part of that time?

A. I saw him in the waggon.

Q. That was at the time when you were in the Field?

A. Yes.

Q. Was he near to the person who was speaking?

A. Yes.

Q. Do you know the person of young Watson?

A. No; I was told it was him that was in the waggon.

Q. Did you see a young man?

A. I did.

Q. Did you see him take any part—did he speak while you were there?

A. No.

Cross-examined by Mr. Serjeant Copley.

Q. Where was your station?

A. At the Cobham's Head.

Q. How far was that from where the waggon was?

A. I suppose it might be about fifty yards.

Q. How early in the morning did you take that situation?

A. About ten o'clock.

Q. What time in the day were those speeches made of which you have been speaking?

A. About eleven.

Q. Who directed you to take that station at the Cobham's Head?

A. The magistrates.

Q. Which magistrate?

A. Mr. Raynsford.

Q. About an hour after you had taken that station you saw this waggon?

A. Yes.

Q. Do you mean to say, it was about an hour after you were there that the waggon arrived, or that you first saw it there?

A. That was the first time I saw it, I cannot say when it arrived.

Q. When you saw it, were there any banners upon it?

A. Yes, there were.

Q. Then that was about eleven o'clock?

A. I think it was thereabouts.

Q. A banner and two flags?

A. Yes.

Q. How long after you had seen the waggon, and that e banner and flags were produced, was it that you heard persons speaking?

A. That was the time I went up.

Q. They were then speaking?

A. Yes.

Mr. Justice Abbott. He has not used the plural.

Mr. Serjeant Copley. I thank your Lordship—you heard e person speaking?

A. Yes.

Q. You attended for some time to his speaking?

A. No, not long; I suppose, about a quarter of an hour.

Q. Then you went away, and according to the evidence ou have given, in about three quarters of an hour you w those people come along Coppice Row?

A. Yes, about twelve o'clock.

Q. About three quarters of an hour after you had been here, and heard this man speaking?

A. Yes.

Q. Had you seen any Magistrate in the mean time.

A. No.

Q. Did you go in quest of any Magistrate?

A. No.

Q. You knew there were Magistrates upon the spot?

A. Yes, I did.

Q. Then, although you heard a man speaking, and using e gestures you have described, you never went to make y representation to the Magistrate, though there were lagistrates upon the spot?

A. No, I did not.

Q. Those persons afterwards came in great numbers, ith a banner and the two flags?

A. Yes.

Q. And Mr. Stafford attacked them?

A. Yes.

Q. Had you any body else to attack them, but Mr. Stafford and yourself?

A. I am sure I cannot say.

Q. Did you see any body attacking them, but Mr. Stafford and yourself?

A. I cannot say, indeed; there were a good many there, but my object was attained by securing the flag and the banner.

Q. You succeeded in getting possession of those flags from this great mob?

A. Yes.

Mr. Justice Abbott. They did not get possession of the great flag from the mob.

Mr. Serjeant Copley. You succeeded in getting possession of the banner and breaking it, and tearing the tri-coloured flag?

A. Yes.

Q. If there had been half a dozen persons of your spirit, you would have dispersed the whole of this mob?

A. I would not go back, seeing Mr. Stafford in such danger, to get my brother officers, but assisted him.

Q. You and Mr. Stafford alone attacked this mob, and got possession of those flags?

A. Yes.

Q. If there had been half a dozen of your spirit, you would have put the whole of them to the rout?

Mr. Justice Abbott. You are putting it to him as if he had said something very different from what he has said; you put it to him as if he had said, that he and Mr. Stafford alone attacked the mob. What he has said is, that he saw Mr. Stafford in danger, and went to assist him, and that afterwards he and Mr. Stafford got this banner and the small flag.

Mr. Serjeant Copley. You and Mr. Stafford alone were engaged with the mob, were not you?

A. I cannot say; I saw Mr. Stafford in danger, and went to assist him.

Q. Did you see any body helping Mr. Stafford?

A. I did not.

Q. Then seeing him alone you went to assist him?

A. I saw no one assisting Mr. Stafford at the time when I ran up.

Q. Did you afterwards, during the time you were there, see any body assisting Mr. Stafford except yourself?

A. I cannot say that I did.

Q. So that you and Mr. Stafford alone were engaged in this struggle, and succeeded in getting possession of these two flags?

A. Yes, I believe so.

Q. Did you see any body else?

Lord Ellenborough. He has said half an hour ago, that he saw no one but Mr. Stafford.

Mr. Serjeant Copley. At the first time, and before you yourself were engaged in the contest, you saw Mr. Stafford?

A. Yes, I did.

Q. Your attention was drawn to his situation?

A. It was.

Q. Did you see any person at that time assisting Mr. Stafford?

A. I did not.

Q. Do you believe that there was any person assisting him?

A. I cannot say, indeed.

Q. Do you believe, from the attention you paid, that if there had been any person assisting him, you should have seen it?

A. I think I should.

Q. Then I ask you, if there had been half a dozen men as resolute as yourself, whether you do not think——

Mr. Attorney General. My Lord, I must object to such a question, whether he thinks if there had been half a dozen others, such and such consequences would have ensued.

Mr. Serjeant Copley. I will leave it to the Jury then. You have been examined before, I believe?

A. Yes.

Q. When were you first examined by any body as to the transactions of this day?

A. I am sure I cannot say the date exactly.

Q. Tell us as nearly as you can recollect; were you examined before Christmas; were you examined recently after the event took place?

A. I was.

Q. How soon afterwards?

A. A few days.

Q. Within a week?

A. More than a week or a fortnight.

Q. By whom or before whom?

A. It was before the Solicitor.

Q. What Solicitor?

A. Mr. Litchfield.

Q. Were you afterwards examined at the Old Bailey, when Hooper was upon his trial?

A. I was.

Q. Did you swear upon that occasion what you have now sworn?

A. Yes.

Q. Against Hooper?

A. Yes.

Q. Were you examined before the Grand Jury upon that occasion?

A. Yes, I was.

Q. Have you been examined before any other Grand Jury?

A. Yes.

Q. What Grand Jury is that?

A. The Westminster Jury.

Q. Have you been examined before a third Grand Jury?

A. No, only two.

Q. Did you produce upon the trial at the Old Bailey the flag?

A. Yes.

Q. That flag which has been produced here to-day?

A. Yes.

Q. Upon the trial of Hooper?

A. Yes.

Mr. Justice Abbott. The flag or the banner?

A. The banner.

Q. Was the flag also produced upon the trial at the Old Bailey, the one with the inscription?

A. I am sure I do not know.

Q. Try to recollect yourself?

A. I cannot, for we were examined separately.

Q. Then it was not produced in your presence, to your recollection?

A. No, it was not.

Q. Was Mr. Hobler examined in your presence?

A. No.

Q. Did you happen on the morning of the 2nd of December to be at Whitehall, before you took your station at Coppice Row?

A. No, I was not.

Re-examined by Mr. Richardson.

Q. Perhaps you can tell us whether Spa Fields is in the County of Middlesex?

A. It is.

A Juryman. How near were you to the waggon at the time you supposed Watson, senior, to be speaking?

A. I cannot say—farther off than those Gentlemen the other end of the Court.

Q. How many yards might it be?

A. I suppose pretty nearly eighteen yards.

Q. Was the noise so great you could not hear him?

A. I was not paying particular attention to what he w saying—the noise was very great.

Q. I understand you to say, you did not know h to be speaking, except by the motion of his hand?

A. I did not; I saw him move his hand in that manr *(moving his hand forward.)*

Q. The noise was so great you could not hear him?

A. The noise was so great I could not hear him.

Mr. Justice Abbott. Had he his back or his face to yo

A. His face.

Q. You do not suppose the distance to have been m than eighteen yards?

A. I cannot say—it might be thereabouts, I should thi

Edward Goodspeed, sworn.

Examined by Mr. Shepherd.

Q. Were you in Spa Fields on the 2nd of December?

A. Yes, I was.

Q. About what time did you get there?

A. About eleven o'clock.

Q. Were there a great number of people there?

A. There were.

Q. Did you see a waggon there?

A. I did.

Q. With flags upon it?

A. Yes.

Q. Did you know any of the persons that were in it?

A. I saw Mr. Preston, and Hooper, and Watson, t elder.

Q. Was there any body else whom you knew?

A. Nobody else that I knew.

Q. Were you afterwards at Coppice Row?

A. I was.

Q. State what you saw take place there?

A. I saw Hooper come out of Spa Fields with a tri-coloured cockade in his hat, then I came to the corner of the Cobham's Head.

Q. Were there any people following Hooper with the tri-coloured cockade in his hat?

A. They all came out of the waggon, they all came out of the field together.

Q. Did you observe what Hooper did?

A. When they all came out of the field together, there were some colours taken away by a gentleman belonging to Bow-street, Mr. Stafford.

Lord Ellenborough. Colours seized, did you say?

A. Yes, seized and taken away from them.

Mr. Shepherd. At the time the colours were taken away, did you see Hooper?

A. Yes, he was very near to the colours.

Q. Did you see him do any thing?

A. No, I did not.

Q. Did you see Limbrick there?

A. Yes.

Q. Did you see any body do any thing with respect to Limbrick?

A. No, Limbrick was knocked down by somebody, but I could not tell by whom.

Cross-examined by Mr. Wetherell.

Q. You went to this place from curiosity I suppose?

A. No, I was parish constable serving in my own right for the Parish of St. Andrew, Holborn.

Q. You attended there in your character of parish constable?

A. Yes.

Q. By whose orders did you attend?

A. By order of the Sheriffs of Middlesex.

Q. You had your orders from the Sheriffs of Middlesex?

A. I had my order from the High Constable.

Q. Who is the constable?

A. Mr. Smart.

Q. Were you sworn in an extra constable?

A. No, neither then nor ever in my life.

Q. How many constables attended?

A. I can only speak to those who attended from our division, there were four from our division.

Q. Is that the whole number belonging to your division?

A. There were seven altogether.

Q. Does your division consist of seven or how many?

A. Of seven.

Q. You all attended by order of the Sheriff?

A. Yes.

Lord Ellenborough. I thought he said four.

Mr. Wetherell. Why did not the other three attend?

A. They might be there for aught I know, but I did not see them.

Q. To your knowledge had they all orders to attend?

Mr. Justice Bayley. Do you know of your own knowledge that they had orders?

A. Yes, we had a regular precept sent, and it was backed; and we took it to one another, and we all had orders to attend.

Mr. Wetherell. How early were your orders to attend?

A. About ten o'clock.

Q. How early had this order been issued to you?

A. On the Saturday, I think, for Monday.

Q. In what part of the field was your station directed?

A. At no particular part.

Q. Were you ordered to attend at Spa Fields generally?

A. We were ordered to go to the House of Correction.

Q. Did you attend there?

A. Yes, most of the constables were ordered to assemble there.

Q. Did you go within side of the House of Correction, into any room or place there?

A. No.

Q. You merely stood without side the door?

A. Yes, the names were called over.

Q. Who called the names over?

A. I cannot say.

Q. Can you tell me his name?

A. No, I cannot.

Q. Was it the high constable, or what was the officer who attended?

A. I never heard what he was called, he was a stranger to me.

Q. How many constables names in your division were called over, was it a general call of all the constables, or only of your division?

A. There was a general call, it was impossible to say what they were, there were a great many of different parishes called over.

Q. Were they called over alphabetically?

Mr. Gurney. Really, my Lord, I must object to these questions being asked, what the name of the person was who called them over, or whether they were called over alphabetically, it can have no other effect, but that which I am sure is not the object, that of wasting time.

Mr. Wetherell. That is not quite the professional mode of uttering an objection. I will not be told by any counsel whatever, no, not even by the Attorney General, that I occupy the time of the Court unnecessarily,—the Court may tell me so if they are of that opinion, my object was to

shew, that the magistracy of London knew of this meeting, and of the object of the meeting.

Lord Ellenborough. They appear to have been put into possession of that by the placards.

Mr. Wetherell. But the magnitude and the danger of the riot mainly depend upon the question, what force was ordered to attend at the place, what danger there was to be apprehended. We have heard of only two officers taking part in the suppression of the riot.

Lord Ellenborough. I think we need not trouble you at present for your argument, hardly any thing would induce me to stop you in any question which you consider material or important to your client.

Mr. Wetherell. My Lord, I do feel this most important, and I pledge myself, that I shall ground propositions in law and fact to the Jury, most important, on the fact, that this was known to all the Magistrates of London, and that measures were taken, in consequence of having said this. I trust your Lordships will permit me to use my own discretion.

Mr. Justice Abbott. The last question was, whether the names were called over alphabetically?

Mr. Wetherell. Were the names of the constables of any other parishes in the City of London, or within the Bills of Mortality, called over, besides those of the parish of Saint Andrew?

A. Yes, they were, but not that they were all called over in my hearing.

Q. What number were called over?

A. The upper and lower liberty of Saint Andrew, Holborn, were called in my hearing, then I had nothing more to do with it, I heard my name, and answered to it.

Q. How many constables were, in point of fact, attending round Spa Fields, and the House of Correction, when your name was called over?

A. Upon my word it is impossible for me to tell how many were round there.

Q. Did you go within side the House of Correction?

A. I do not know whether I did or did not.

Q. Was there a room for you there?

A. No, no room.

Q. When you had been called, were you appointed to take any particular station, or did you follow your own discretion in going where you thought best?

A. We were appointed no place in particular, only to be on the spot.

Q. I think you say that Mr. Stafford took away the flag?

A. Yes.

Q. Were you near enough to see what passed?

A. There came out of the field a great concourse of people at the same time, and out of the waggon, and came with a flag, and a square flag, about the soldiers, and using them kindly, that was taken away by Mr. Stafford.

Q. Did you see in Spa Fields an assembly of any of the Constables, ten together, or any particular number?

A. No.

Q. You have stated, that Mr. Limbrick was knocked down, are you certain of that; Mr. Limbrick has not stated that.

A. Mr. Limbrick was knocked down when they came out of the fields together, but by whom I cannot state.

Q. Do you mean to say that Mr. Limbrick was hurt?

A. No, I cannot say that, I saw him on the ground.

Q. Was he knocked down by the rush of the mob, or a blow?

A. In my opinion he must have been shoved down.

Q. You did not see any one knock him down with a blow?

A. No, I did not.

Q. You conceive he must have fallen down from the pressure of the mob?

A. There was such a concourse of people, I think it was so.

Q. In point of fact, you did not see any one level a blow at him?

A. No.

Q. Were you near enough to see whether he gave any assistance to Mr. Stafford?

A. He went in to assist Mr. Stafford.

Q. After those flags had been taken by Mr. Stafford, which way did you go?

A. I went back again to the House of Correction, to see if the High Constable was there.

Q. Had you any further directions given to you?

A. No, I had none.

Q. Was the High Constable there when you went?

A. I do not know whether he was there exactly at the time that I went back, but I saw him very shortly afterwards.

Q. Had you any directions given you by him at that time?

A. I do not recollect that I had.

Q. Did you apply to him for directions?

A. I cannot say whether I did.

Q. Endeavour to recollect.

A. I recollect that I was ordered to wait.

Q. Where were you to wait?

A. To wait at the prison door.

Q. In point of fact, how long did you wait at the prison door?

A. It might be, that I waited till three or four in the afternoon.

Q. Were any rioters brought in at the prison door while you waited?

A. I saw none.

Q. Should you have seen them if they were brought in?

A. I was on the spot—I might have seen them.

Q. But you did not see any brought in?

A. I did not see any.

Re-examined by Mr. Shepherd.

Q. After this mob had passed down Coppice Row, and had gone away, were there any people waiting in Spa Fields?

A. There were people waiting in Spa Fields.

Q. How many?

A. I cannot say.

Q. About how many?

A. There was a great quantity remaining round Merlin's Cave.

Q. How long did they remain there?

A. As nearly as I can recollect they remained there till about six or seven o'clock in the evening; there was a meeting held there.

Q. The meeting was held there?

A. Yes, it was.

John Huggins, sworn.

Mr. Serjeant Copley. Your name is John Huggins?

A. It is.

Q. What business do you follow?

A. A Tide-waiter in His Majesty's Customs.

Q. Are you now a Tide-waiter?

A. Yes.

Q. How long is it since you have been employed in that situation?

A. I look upon it nearly a twelve-month since I was on duty.

Q. Have you any appointment as a Tide-waiter?

A. Yes, I have.

(The witness produced it, and it was inspected by Mr. Serjeant Copley.)

Mr. Serjeant Copley. I am satisfied, my Lord, as to the description.

Examined by Mr. Attorney General.

Q. Were you at Spa Fields on Monday, the 2nd of December last?

A. I was.

Q. About what time did you go there?

A. About twelve o'clock.

Q. When you went there did you see any waggon?

A. I saw a waggon in the Fields.

Q. Did you see any persons in it?

A. I saw Preston.

Q. Were there any other persons;—whether you knew them is another question,—but were there any other persons in the waggon beside him?

A. I cannot recollect.

Q. I do not ask you whether you knew the other persons, but whether there were other persons in the waggon?

A. A great quantity.

Q. Did you see whether there were any flags or banner?

A. I saw one.

Q. Was that a flag, or a banner?

A. I think a flag.

Q. How far were you from the waggon?

A. I was against the turnpike-gate at the time.

Q. How far is that from where the waggon was?

A. I suppose it was about twenty yards from the gate.

Q. You were about twenty yards from the waggon?

A. Yes.

Q. Did you observe the persons getting out from the waggon?

A. I saw several get out of the waggon.

Q. Which way did the persons who got out of the waggon go?

A. Towards Coppice Row.

Q. Were they followed by any number of persons

A. A great quantity.

Q. Do you know Mr. Stafford?

A. I do.

Q. Did you see Mr. Stafford?

A. I did.

Q. What was he doing when you saw him?

A. I saw Mr. Stafford in the mob, and I heard him call out for assistance.

Q. Did you see what he was doing at the time he was calling out for assistance?

A. I saw him taking hold of a flag.

Q. What do you mean by having hold of a flag, holding it quietly, or struggling for it?

A. Struggling for it.

Q. Did you observe whether any persons who were in the waggon, or who were in the crowd, while Mr. Stafford was struggling with them, had cockades?

A. I saw Mr. Hooper had a tri-coloured cockade in his hat.

Q. Was that amongst the crowd?

A. That was amongst the crowd.

Q. Was he near Mr. Stafford?

A. He was.

Q. Did you observe whether he was doing any thing?

A. He was struggling along with a man that Limbrick had at the time.

Lord Ellenborough. Do you mean, a man that Limbrick held at the time?

A. Yes.

Mr. Attorney General. Did you see Mr. Limbrick come to Mr. Stafford?

A. Yes.

Q. Was there any struggling after that?

A. Yes; Limbrick had got hold of a man whom Mr. Hooper and others rescued away from him.

Q. What sort of a thing was that banner,—did you see it before there was that struggling for it?

A. No; I do not recollect that I did.

Q. The first time you saw it, was while there was a struggle for it?

A. Yes.

Q. What sort of a thing was it?

A. It had the inscription, "The Soldiers are our Brothers."

Q. What colour was it?

A. The banner was white calico, it appeared to me.

Q. What was there upon it?

A. It had the inscription, "The Soldiers are our Brothers, treat them kindly."

Q. You say Limbrick was struggling with somebody for this banner?

A. Yes, he was.

Q. Do you know who the persons were that he was struggling with?

A. No, I do not.

Q. Was either of the persons who are here, with those who were struggling?

A. Hooper was.

Q. Did you see whether any of them made any effort against Limbrick, or what they did?

A. Limbrick was knocked down, or nearly at the time.

Q. What do you mean by knocked down?

A. He was shoved down by the mob.

Q. Do you mean that he was knocked down by a blow, or that he was down in the struggling?

A. That I cannot say at that time.

Q. Do you know whether he succeeded at last in taking the banner?

A. He did.

Q. What became of Hooper and of the other persons whom you saw with this banner, and struggling for it with Limbrick, after they had got the banner?

A. I saw Hooper go, with a great many others, along Coppice Row.

Q. Can you form any judgment of the number of persons that went that way?

A. No, I cannot.

Q. About what number?

A. I look upon it nearly an hundred.

Q. Did you go after them, or did you remain in Spa Fields?

A. I remained at the Cobham's Head, at the corner.

Q. That is in Coppice Row?

A. It is.

Q. Do you know whether there was a large assemblage of persons left behind in Spa Fields, after Hooper and those persons who were struggling for the flag left it?

A. Yes, there were a great many.

Q. How many persons do you suppose there were assembled in Spa Fields at that time, speaking within compass?

A. Four or five hundred, I dare say there were.

Q. How long did you remain there?

A. I remained there till the magistrates went away.

Q. How long was that?

A. I suppose about an hour after that.

Q. Were you in Spa Fields at any other part of the day after that?

A. No, I was not.

Q. Did you follow those persons who went down Coppice Row?

A. No.

Q. Not at any time did you?

A. No, not at any time.

Cross-examined by Mr. Serjeant Copley.

Q. You tell us you are a tide-waiter in his Majesty's Customs?

A. Yes.

Q. Have you a fixed salary, or are you paid according to your services?

A. I am paid when I am on duty.

Q. You have not been on duty for this twelvemonth?

A. No, I have not.

Q. How came you in Spa Fields at this time?

A. I was sworn in an extra constable at Hatton Garden.

Q. How often have you been on duty within these five years?

A. I cannot say.

Q. Have you been ten times?

A. O yes, I have.

Q. You were sworn in a special constable this day?

A. Yes, I was.

Q. You perceived these people as they proceeded down Coppice Row?

A. Yes, I was stationed at the Cobham's Head.

Q. That is in Coppice Row, is it not?

A. Yes.

Q. You were attentively observing them?

A. Yes.

Q. And you tell us there were about a hundred?

A. Yes.

Q. That was after the contest about the flags between Stafford and Limbrick and the people?

A. Yes it was.

Q. You suppose there were about one hundred?

A. Yes, I suppose there were thereabouts.

Mr. Justice Bayley. You say there were about a hundred went down Coppice Row, how many at that time were in the field?

A. *I look upon it* four or five hundred.

Q. How many do you suppose there were collected together in the fields, at any one time in the course of the day?

A. It would be impossible to say that. I suppose six or seven hundred.

A Juryman. You mentioned about the time that the magistrates went away, what magistrates do you mean, and where were they?

A. At the Merlin's Cave, they were in a room just by to Merlin's Cave.

Q. Whereabouts?

A. By the side of the Merlin's Cave.

Q. Was it a house?

A. Yes.

Q. A room in a house, or where?

A. In a house.

A. Say how many doors?

A. About three doors.

Q. A private house?

A. Yes.

Q. Do you know who they were?

A. We were along with Mr. Sellon.

Q. Who else?

A. There was Sir Nathaniel Conant there I believe.

Q. Did you see him there?

A. I only saw Mr. Raynsford.

Q. That is another then?

A. Yes.

Q. Do you mean to say there were three or more?

A. There were more, but I only took notice of those.

Another Juryman. At what time of the day were they there?

A. They were there about twelve o'clock, twelve or one o'clock.

Q. Did Mr. Stafford see them there?

A. Yes.

Q. Did you see Mr. Stafford about that neighbourhood?

A. Yes, I did afterwards.

Mr. Justice Bayley. Did you see Mr. Stafford in their presence?

A. No, I do not recollect that I did.

Q. Whether Mr. Stafford saw them or not is conjecture on your part?

A. Entirely so.

Moss Moses sworn.

Examined by Mr. Solicitor General.

Q. Were you at Coppice Row on the 2d of December last?

A. Yes.

Q. Were you near Mr. Stafford at the time he took possession of a flag?

A. No, I was not.

Q. You have a flag here, have you not?

A. Yes.

Q. Where did you get it?

A. At Coppice Row.

Q. From whom?

A. From a person dressed in sailor's dress.

Q. How did you get possession of it?

A. By request of another officer who was having a piece of work with the mob.

Q. Was he struggling with the mob?

A. Yes.

Q. How did you get it, did you seize it, or how?

A. I seized it.

Q. What officer was it that was struggling?

A. I believe it was a person of the name of Mr. Limbrick.

Q. Who was Limbrick struggling with at that time?

A. *I do not know.*

Q. Was it the person who had the flag, or some other?

A. Some other.

Q. Did you go to his assistance?

A. I did.

Q. And you got possession of the flag?

A. Yes.

Q. And that which you produce is the flag which you then seized?

A. Yes it is.

The witness produced it.

Mr. Wetherell. Will you ask him whether he has had it in his possession ever since?

Mr. Solicitor General. Have you had it in your possession ever since?

A. No, I have not.

Q. Where has it been?

A. At the prison near Spa Fields.

Q. Did you deposit it there?

A. I did.

Q. Are you certain that is the flag?

A. Yes, I am quite certain of it.

Cross-examined by Mr. Wetherell.

Q. Are you perfectly certain this is the flag you took?

A. Yes.

Q. You have had it in your possession ever since?

A. No, I took it to the House of Correction.

Q. When you took it, what did you do with it?

A. I put it in the prison.

Q. How long was it out of your possession?

A. Two months, I suppose, till such time as I received an order to attend at the Session's House.

Q. Look at this flag again, will you positively swear, that that was the identical flag that you took in Spa Fields—now look at it?

A. To the best of my belief it is, it is impossible, as did not mark it, to identify it.

Q. You put no mark upon it?

A. No, I should not like to swear it to be the identical flag, but I believe it to be.

Q. Have you ever sworn that it was the identical flag?

A. No.

Q. Were you subpœna'd at Cashman's trial, at the Old Bailey?

A. I was.

Q. Did you there swear that it was the identical flag?

A. I was not called.

Q. Have you been examined at any other place respecting that flag?

A. I was examined sometime ago before the Grand Jury.

Q. What Grand Jury?

A. Near this Hall.

Q. Do you mean at Clerkenwell, or here?

A. Here.

Q. Were you examined at Clerkenwell?

A. I was not.

Q. You will not undertake to swear that it is the flag?

A. No, I will not; but I believe it is the same.

Q. Is not that flag a good deal dirtier than the flag you took?

A. It was cleaner when I first took it.

Q. Was not the flag you took a great deal fresher than this flag?

A. No, I do not think it was; it was newer at the time I took it.

Q. This is not a new flag; if it has been kept for two months not used, there is nothing to make it dirty.

A. They had it in the hemp-warehouse when I went for it the second time.

Q. You found it in the hemp-warehouse?

A. Yes.

Q. Is that the place where the prisoners work?

A. I do not know, but an order was given to go up in the hemp-warehouse, and fetch it out.

Q. Having been out of your possession for two months?

A. I dare say it was.

Q. Be so good as to hold it up a little: this does not appear to be the sort of flag that was hung out; it is not in the form of Mr. Stafford's drawing—Mr. Stafford's drawings represent a flag of a very different description from that—Mr. Stafford's drawings are angular: is it a square flag? or what—it is certainly unlike the flags that we have had a fac simile of.

Mr. Justice Abbott. It is very like the small flag.

Lord Ellenborough. Is that from all the particulars you can recollect the flag you saw?

A. Yes.

Mr. Wetherell. It is not identified as the flag yet.

Lord Ellenborough. That is not material; if a flag of the same appearance was exhibited that is the thing, not whether that is the identical flag; the exhibition of a flag is the thing. There is no circumstance, on looking at this, which occurs to you of any dissimilitude between this flag and the flag you saw?

A. No.

Q. Then according to the appearance do you believe that to be the same?

A. I do.

Mr. John Stafford called again.

Examined by Mr. Attorney General.

Q. In the struggle you had for the flag was the flag torn?

A. It was.

Q. Did the piece that was torn off in the struggle remain in your possession?

A. It did.

Q. Have you got it?

A. Here it is.

Q. Have the goodness to apply it to that flag, and see whether it fits to the place from which it was torn.

A. I tried it before, in the House of Correction, and found it fitted—that is the piece *(fitting it in.)*

Lord Ellenborough. That does correspond—does it? the identity is not material; but if it is wished to follow this higher, we will do it.

Mr. Wetherell. I do not wish to pursue it further, my Lord.

Thomas Graves sworn.

Examined by Mr. Solicitor General.

Q. I believe you lived in December last, and probably do now, in Cow-cross?

A. Yes.

Q. Is that in the way from Coppice Row to Smithfield?

A. Yes.

Q. On the 2d of December last did you see a great mob of persons passing your door?

A. Yes.

Q. In what direction were they going?

A. Towards Smithfield.

Q. Had they any flag with them?

A. Yes.

Q. What sort of a flag?

A. I did not take particular notice of the flag—I saw it before they came up to my door.

Q. Was it a flag of different colours, or of one colour?

A. It seemed to be of different colours.

Q. What were the mob doing when they passed your house?

A. They were not doing any mischief.

Q. Were they making any noise?

A. Yes, there was some noise.

Q. Was it a large mob?

A. Yes, it was.

Q. How many persons do you think passed your door?

A. I suppose about six or seven hundred.

Q. Do you know Preston?

A. Yes.

Q. Did you see him there?

A. Yes.

Q. You had known him before, I believe?

A. Yes.

Q. For some time?

A. Yes.

Q. Did he, in passing your door, speak to you?

A. Yes.

Q. What did he say to you?

A. As he came by he told me to take in the things, for there would be dreadful work, or bloody work, I do not know which it was.

Q. What became of Preston after that, did he go on with the mob?

A. Yes, I never saw him afterwards.

Q. Did you see him go on with the mob?

A. Yes.

Q. He is lame, I believe, is he not?

A. Yes, he is.

Q. How long were the mob passing your door, do you think?

A. I suppose ten minutes.

Q. How were they going, fast or slow?

A. The first part of them were going very quick.

Q. Then they went on, you say towards Smithfield?

A. Yes.

Cross-examined by Mr. Wetherell.

Q. Did I understand you to say you did not quite recollect the words that were used to you?

A. No, I was too much flurried, I had got a great many things out of doors.

Q. What things were they?

A. Household goods.

Q. What are you a dealer in?

A. A Broker.

Q. Your things stood without side your house?

A. Yes.

Q. You are a broker of furniture?

A Yes.

Q. Had you a good deal of furniture things standing out of your house on that day?

A. Yes.

Q. Tables, and things of that sort, for sale?

A. Yes.

Q. When you saw the mob go by, you were flurried?

A. Yes.

Q. You had known Preston for some time?

A. Yes.

Q. He is a shoemaker, is he not?

A. Yes.

Q. Or a cobbler, which do you call him?

A. I understand a cobbler.

Q. You had known him before?

A. Yes.

Q. As he came by, did he say any thing about taking in your things?

A. He told me to take them in, and I was much obliged to him for it.

Q. What were the precise words he used after that?

A. I am not quite sure whether he said there would be *dreadful work or bloody* work.

Q. Was this bloody work to be done to your chairs and tables?

A. No, I did not so consider it.

Q. Did not he give this intimation as it respected your furniture?

A. Yes.

Q. Did you conceive———

Mr. Attorney General. His impression is not evidence.

Mr. Wetherell. I conceive his impression upon the words is evidence?

Mr. Justice Abbott. I think not.

Mr. Wetherell. You are not quite sure as to the words?

A. No, I am not.

Mr. Solicitor General. But you are quite sure it was either dreadful or bloody?

A. Yes, quite sure.

Edward Hone, sworn.

Examined by Mr. Topping.

Q. Were you in the service of Mr. Beckwith on the second of December last?

A. Yes, I was.

Q. What is Mr. Beckwith's name?

A. William Andrews.

Q. What business does Mr. Beckwith follow?

A. A gunmaker.

Q. Where does he live?

A. 58 Skinner Street, Snow Hill.

Q. He has a shop there where he carries on his business?

A. Yes.

Q. Were you there on the second of December last?

A. I was.

Q. Did any thing happen in the course of that morning to your shop?

A. About twenty minutes after twelve a gentlemen of the name of Mr. Platt came into the shop.

Q. He came there upon some business?

A. Yes, he did.

Q. Did any number of people come to the shop soon after Mr. Platt had come in.

A. Mr. Platt was just finishing the business, and was in the act of going away.

Q. What happened then?

A. A person rushed into the shop with a pistol in his hand.

Q. Was there any number of people collected about the shop at that time?

A. None that I saw at that time.

Q. Describe the person who came into the shop with a pistol in his hand?

A. He was a person of a short stature, about five feet four or five inches high, thin visage, and rather prominent features.

Q. Young or old?

A. A young man, he appeared to be about two or three and twenty.

Q. Upon his coming into the shop with a pistol in his hand, did he say any thing?

A. He demanded arms, he brought up a pistol in his hand, in this way, *(describing it)* and said "Arms! arms!" twice.

Q. Did Mr. Platt say any thing to him?

A. He turned round as he entered the shop, I do not know whether it was by way of warding the pistol off, but he put his hands up in this way, *(describing it)* one on each shoulder.

Q. On each of the shoulders of the young man that had entered the shop?

A. Yes.

Q. *Did he make* use of any words?

A. He made use of some words, I think they were, but I am not positive to them, "my good fellow, consider what you are about."

Q. What was done then?

A. Immediately after that the pistol was placed against his right hip, and before the words hardly had escaped his lips, the pistol was fired, immediately after Mr. Platt had mentioned some words to him.

Q. Had you an opportunity of seeing whether Mr. Platt was struck with the pistol?

A. I saw that the lappel of his coat was torn in a zig-zag manner, so that I could put in my hand.

Mr. Justice Abbott. The lappel at his breast?

A. No, at the bottom of the lappel, immediately Mr. Platt clapped his hand to his belly, and said, "I am wounded, fetch me a surgeon, for God's sake fetch me a surgeon."

Mr. Topping. Was any thing said by the young man who came into the shop upon that?

A. Mr. Platt says, "Do not let him go, do not let him go;" no, says I, sir, he shall not go. He says, "you fetch me a surgeon, I am wounded;" again he mentioned that. The person who wounded him, chucked down the pistol that he wounded him with on our apprentice's bench, the bench that our apprentice works at, and says, "I am a surgeon, I will examine it." Mr. Platt says, "No, no, no, fetch me a surgeon, fetch me a surgeon," several neighbours came in at the time, and amongst other persons, an officer, one of the Saint Sepulchre officers, a man of the name of Worrall, a constable of Saint Sepulchres.

Q. What was done then?

A. He took the young man in charge, there were a great crowd then gathered round the door.

Q. At the time the neighbours and Worrall came in, numbers had collected about the shop?

A. Yes.

Q. How many do you suppose had collected round?

A. Better than a hundred.

Mr. Justice Abbott. Did they come into the shop?

A. No, they got round the shop windows, I then de tered my charge to the officer.

Mr. Topping. Into Worrall's custody?

A. Yes, and I then went out to keep the people off t windows; I feared the pressure of the people would bu the windows, and I said, what do you want, my good fel go about your business; there is nothing the matter; sh got them pretty well away from the windows.

Q. What happened then?

A. I had got into the shop again, and I saw a mob past the door with a stand of colours before it.

Q. How many do you suppose there might be collected that mob?

A. I look upon it there were between three and fo hundred, as nearly as I could conjecture.

Q. They had a flag?

A. Yes, a tri-coloured flag.

Q. What happened then?

A. They went past the shop and returned again, so of them cried out, "this is the shop, this is the shop."

Q. That was the cry from the mob?

A. Yes.

Q. Having passed it, they returned back.

A. Yes; they went towards Snow Hill.

Q. How soon do you suppose they might return?

A. I should think five minutes or more might elapse.

Q. What occurred then?

A. I went out to the door and spoke to them;—I we out to the door and said, "my good fellows what do y want, what do you want, do not hurt Mr. Beckwith."

Q. Did you receive any, and what answer from the mo

l, " he is a good fellow, he wishes well to your
should you hurt him;" at the same time there
wer's servant, and stood with a broomstick ready
e windows.
son in the dress of a brewer's servant?

stood in an attitude, as if ready to break the

and I begged of him not.
t was done?
that, I told them that the young man had made
—that he was gone; I said, "do not hurt
ith, he is gone."
any enquiry made for the young man?
e will have him out," was the cry of the mob
in answer to that you told them he was gone—
l made his escape?

t happened then?
e of the mob cried out, "Tower Hill."
any thing happened to your shop windows at that

the least.
our having said he had made his escape, the cry
of the mob was "Tower Hill?"

cry then being "Tower Hill," did they proceed
Hill?
up both my hands and said, "Tower Hill," my
king a sign for them to go on.
put up your hands and said, "Tower Hill," my
shing to get them away from Mr. Beckwith's

d, but they did not seem satisfied; then they said,
have him out."

Q. They repeated the cry, "we will have him out?"

A. Yes; I then gave them my word that he had made his escape down Sea Coal Lane—that he was gone.

Q. Sea Coal Lane is near?

A. Right opposite our shop.

Q. Did that satisfy the mob?

A. It satisfied them so far, till the young man made his appearance at the three pair of stairs window.

Q. After you had given him in charge to Worrall the Officer, you did not see where he went?

A. No, I saw no more of him for that time.

Q. You having told them he had made his escape, he afterwards appeared at the window of the room up stairs?

A. Yes.

Q. What happened then?

A. The mob then began to get very infuriated.

Q. What did they proceed to do?

A. They called out, "there he is, there he is, we will have him out?"

Q. What happened then?

A. They broke the windows in all parts, and rushed in at the shop door, and they pulled the guns out and battered the frames and all to pieces with the butt ends of the guns.

Q. Your shop had guns in it for sale?

A. Yes.

Q. And with the butt ends they demolished the frames?

A. Yes, the greater part of them.

Q. Did they take away the guns?

A. They took every thing out of the window entirely.

Q. Had you a considerable quantity of arms in the window?

A. A very great quantity indeed, both of guns and of pistols.

Q. Did I understand you to say that the shop was cleared?

A. *It was literally* cleared.

Q. What became of the young man?

A. When they rushed into the shop in that manner, and I had been telling them falsely, I found myself very much alarmed, I thought directly that as they had found me out in that, that I should get knocked down, and I got away to the further part of the east window.

Q. What did you see happen there?

A. I saw them bring the guns out; there were two or three brought them out ten or a dozen at a time from the counting-house on their shoulders, we had a great many ready for exportation at that time in the counting-house.

Q. Some of them carried away ten or a dozen at a time on their shoulders?

A. Yes, they carried them out, and distributing them to the people at the door cried—"Here are arms, my boys."

Q. How was that received by the mob?

A. They took them, and some went one way, and some another; and powder and shot they took out of the shop, and loaded them at the door, and poured the powder in indiscriminately and shot likewise, and loaded some of them up to the muzzle.

Q. How long might they continue?

A. That I cannot tell, I was very much confused; I was so far confused, that if I had not gone and got a drop of spirits, I should have dropped; on my return I saw the young man come down with a pistol in each hand, I saw him come out of the shop with a pistol in each hand.

Q. Was there a mob about the door at that time?

A. It had cleared away greatly.

Q. But still there were some left?

A. Yes.

Q. What became of him when he went out of the shop with a pistol in each hand?

A. That I cannot say, he went and joined the people.

l then they went away?

s.

hich way did they proceed?

p towards Newgate-street.

You saw no more of them?

No, I saw no more of them.

Cross-examined by Mr. Serjeant Copley.

Q. You are Mr. Beckwith's foreman?

A. I am.

Q. Were you examined at the Old Bailey, when H

nd Cashman were tried?

A. I was not.

Q. How happened that?

A. I cannot say.

Q. Did you attend for the purpose?

A. I did.

Q. Who were in the shop besides yourself, v

Watson came in, when this young man came i

A. John Roberts, Mr. Beckwith's apprentic

Q. What was your attention engaged abo

they came in?

A. Talking to Mr. Platt.

Q. This young man had a pistol in his ha

A. Yes.

Q. Before the pistol was discharged, wa

him?

A. He turned round and faced him.

Q. He put his hands suddenly upon h

Mr. Topping. Your question assume

Mr. Serjeant Copley. I know what

hands suddenly upon his shoulders.

Lord Ellenborough. Your questior

so, I thought you would weigh th

jection.

Mr. Serjeant Copley. Did he not put his hands upon his shoulders?

A. Yes he did.

Q. And that moment the pistol went off?

A. Mr. Platt began to speak first, and then the pistol was fired.

Q. Before the pistol went off Mr. Platt's hands were put suddenly on the shoulders of this young man?

A. They were so.

Q. What time might there be between his hands being put suddenly upon the shoulders of this young man, and of the firing?

A. About a second.

Q. The moment that he fired, the young man expressed his contrition, did he not?

A. The young man said, go and fetch a surgeon, there was some time elapsed, and then after that some time had elapsed, he said, I am a surgeon, I will examine it.

Q. Was not that with an appearance of great regret?

A. Most certainly there appeared to be great contrition, he bit his lips, and appeared very sorrowful for what had been done.

Q. You say, when he first came up he came up alone?

A. There were three or four men—following him.

Q. Did he shut the door when he came into the shop?

A. No, they were following him; and when the pistol was fired, they immediately decamped—I shut the door myself.

Q. Afterwards a great assemblage of persons passed the shop?

A. Yes, they went past the shop towards Snow-hill.

Q. And then came back?

A. Yes, some of them cried out, "this is the shop," and they came back again.

Q. When they came back again, they were all ranged out of the shop?

A. They were.

Q. All the guns were exposed in the window?

A. Yes, just as they are for sale in a gunmaker's shop.

Q. Nobody made an attempt to touch the guns?

A. Not at that time.

Q. Though those guns were exposed in great number the windows, nobody attempted to touch one of them?

A. No, they did not at that time.

Q. Are you quite sure, that "to the Tower" did not enter your mind, and that you did not use those words fore they did?

A. Upon my oath I did not.

Q. I do not blame you for it, but you adopted it?

A. I did—I thought it best to get them away from shop.

Q. Then they made a movement to go off?

A. No, they did not—they did not seem satisfied.

Q. Still they did not attempt to take the guns?

A. They did not.

Q. The cry was release this young man?

A. "We will have him out."

Q. This parley continued for a considerable tim lieve?

A. For a few minutes.

Q. And three or four hundred persons were there?

A. Yes.

Q. The shop being perfectly untouched, an being untouched?

A. Yes.

Q. At last, you say, some persons observe man at the window up stairs?

A. Yes.

Q. And that moment the attack was begun?

A. Yes.

Q. How many minutes had elapsed between the time of their first coming, and the time they attacked the shop?

A. I cannot say.

Q. Might it be about five minutes?

A. It might be—I cannot say.

Q. For about five minutes they never attempted to attack the shop, and they never did this till they discovered the young man above stairs?

A. No, they did not.

Q. You never saw this man before?

A. No, I never did.

Q. You have never seen him since?

A. I never have.

Re-examined by Mr. Topping.

Q. You said that the pistol, which the young man brought in with him, was thrown upon the bench, where the apprentice worked in the shop?

A. Yes, it was.

Q. Did you see what became of it afterwards?

A. I gave it into the young man's hand, and told him to take care of it.

Mr. Justice Abbott. By the young man do you mean the apprentice?

A. Yes.

Mr. Gurney. Is not that Roberts?

A. Yes, it is.

Mr. Serjeant Copley. Will your Lordship allow me to ask the question—When did you take that pistol up?

A. In a very few minutes afterwards.

Q. Before the shop was broken open?

A. Yes, when the young man was given in charge to the officer.

Mr. Richard Platt sworn.

Examined by Mr. Gurney.

Q. On the 2nd of December last, were you in Mr. Beckwith's shop, in Skinner Street?

A. Yes.

Q. State what occurred while you were there, on any person coming into the shop?

A. I was in the shop speaking to the foreman about a lock.

Q. No matter what you were talking about—while you were there did any person come?

A. A person—a young man rushed into the shop, stamped his feet twice, and cried "Arms, arms—we want arms!" he fixed his eyes on Mr. Beckwith's man, and then immediately cast them at myself, and threw up his pistol, cocked it, and was in the act of bringing it down; I struck at it with my left hand, and he brought it round to my belly. He was in the act of bringing it to my breast, as I supposed I saw the turn of his hand: I struck at it with my left hand to catch the muzzle of the pistol, he drew it from me to prevent my catching it; and immediately brought it round completely, and shot me in the belly. I was very close to him, the pistol went bang against my coat.

Q. Did the ball enter your body?

A. The ball entered about four inches from the navel.

Q. What did you say or do upon that?

A. I immediately said, "You have shot me in the belly," he closed, and ran at me again with the pistol; I, supposing it was a double-barrelled pistol, struck at it again with my left hand, and closed with him, and endeavoured to catch the pistol a second time, and he struck me with the butt end of it. I still pressed him into the corner, between the two benches, he then turned the pistol round, and struck

me with the butt-end of it. I do not know what became of the pistol after that.

Q. What passed next, did you say any thing about a surgeon?

A. I said, "you have shot me, what did you shoot me for, I am one of you." "O Lord," he exclaimed, I said, "Send for a surgeon;" he said, "I am a surgeon myself."

Q. What did he then say?

A. He exclaimed, and looked up to the ceiling, and clasped his hands, "O my God, I am a misled young man; I have been to Spa Fields!" he attempted to pass me towards the door very calmly after this, but I held my wound with my left hand, and gave him a bang upon his breast, and said, "I must have you secured."

Q. Was he stopped?

A. I stopped him by that means.

Q. Did you go into the counting house, and were you afterwards removed up stairs.

A. I held the door, and entreated some persons to come in and secure him immediately; some persons came in, and we went into the back counting-house.

Q. Did you afterwards go up stairs?

A. After I had been in the counting-house some time I went up stairs into the kitchen.

Q. Was he taken up stairs?

A. Before I went up stairs a constable came and searched his pockets, and in his pockets he found a pair of lancets; we were a considerable time in the counting-house together, I should think ten minutes, he standing on my left side, and I sitting down with my arm on Mr. Beckwith's desk. A surgeon's assistant came to me, and I went up stairs with him.

Q. Was he taken up stairs?

A. I believe he was, the constable wished to take him out, and I wished him not, he sent for hand-cuffs, and he was taken up stairs, and I saw no more of him.

Q. While you were up stairs, did you hear any thing that took place below?

A. I heard a great rush below, the breaking of the windows, and a great noise, as if they were taking away the arms.

Q. Was there a great mob below?

A. I do not know that, except from hearing a great crush.

Q. Did you, and the persons with you, escape over the back wall for safety?

A. We did.

Cross-examined by Mr. Wetherell.

Q When this young man first came into the shop, in what part of the shop were you?

A. About two or three yards from the door.

Q. This young man stamped and called for arms?

A. Yes.

Q. Was there any wrestling or opposition shewn by you when he called for arms?

A. Nothing, but as I have related.

Q. Nothing with your hand, or any thing of that sort?

A. No, not a word was said to me, till the ball was fired.

Q. Did you throw your arm about, or any thing of that sort?

A. Nothing more but to catch at the pistol as he entered the shop, for I saw the pistol as he entered the door, and was prepared for it; he came in with his pistol in this way, *(describing it,)* then brought it down.

Q. You did not put your hands upon his shoulders?

A. No, I did not.

Q. Not in the scuffle?

A. Not till after the firing.

Q. When he came into the shop and brandished the pistol, did you put your hands upon his shoulders, and wrestle with him?

A. Not until he had cocked the pistol, and was in the act of bringing it down, did I attempt to do any thing; then he took away his arm, and brought it round again and fired: my coat was singed.

Q. You did not put your hands upon his shoulder?

A. Yes, I did, my right arm went over his shoulder, and struggling with my left hand, he could not get away from me, or it would have gone right through, it was in a lateral direction, it was accidentally that my hands went over in the act of striking at the pistol, my right hand went over his right shoulder, but certainly nothing took place between us, by my making any resistance, or doing any thing, till I was shot.

Q. You did not actually touch him till you were shot?

A. Certainly my arm struck him in the act of striking at the pistol, but it was as quick as I have moved now, he brought it round as quick as this movement, *(very quickly.)*

Q. This young man was a good deal more slender than you were?

A. He was a little.

Q. He was a good deal, I believe?

A. He was a very thin man.

Q. This was not an attempt on your part, we all feel your misfortune, I am sure it was no attempt to wrestle with him?

A. No, not the least, it was merely an attempt to try to catch the pistol.

Q. When he said he was a surgeon, did he appear to feel the injury he had done you in what he did?

A. He appeared to express, "O my God, I am a young misled man, send for a surgeon,—I am a surgeon myself."

Q Did he appear to say that in sincerity?

A. He appeared so for the moment, but I did not think it sincere; he appeared calm in a moment, and desirous to slide away from me, and I hindered him, by giving him a bang.

Q. How long did you stay in the shop before the mob returned, or did you go to the back part of the shop?

A. I was gone before they returned.

Q. Before they attacked the shop, did you go into the back part of the shop, after the pistol was thrown down?

A. After I had prayed somebody to come in and secure him, we went into the back shop, and there we remained ten minutes before the surgeon's assistant came.

Q. How long was it before you heard the crash, was it ten minutes or longer.

A. After that I went up stairs, and the surgeon was in the act of examining my wound, perhaps two or three minutes, I was sitting on a chair, and the surgeon examining my wound, and perhaps a minute or two nearly passed before I heard the crash.

Q. How long do you suppose elapsed between the time of your being wounded, and the time of your hearing the crash?

A. Fifteen minutes, I dare say.

John Roberts sworn.

Examined by Mr. Richardson.

Q. Were you apprentice to Mr. Beckwith on the 2d of December last.

A. Yes.

Q. Were you in the shop at the time when Mr. Platt was there?

A. Yes.

Q. Did you see a young man come into the shop?

A. Yes.

Q. Did you see a pistol fired?

A. I did not see the pistol till after it was fired.

Q. Did you hear the report?

A. Yes I did, and I had the pistol in my hand immediately afterwards.

Q. What was done with the pistol by the young man after he had fired?

A. Immediately after he had fired, he put down the pistol on my bench, and I took it up.

Q. What did you do with it?

A. Some of the neighbours said, I had better give it into the officer's hands, and some of the neighbours gave it into Mr. Worrall's hands.

Q. Did you see it given into Mr. Worrall's hands?

A. No, I did not, I never saw the pistol after it was given out of my hands.

Q. Was the young man taken up stairs afterwards?

A. Yes, by Mr. Worrall.

Q. Were you there when the windows were broken, and the arms taken?

A. Yes.

Q. Were the shop and counting-house cleared of arms, or nearly so?

A. Nearly so.

Q. And ammunition?

A. Yes, a great quantity of ammunition.

Q. Did you see the young man go away?

A. I saw him after he came down stairs, and I saw him take a pair of pistols out of a mahogany case.

Q. Of Mr. Beckwith's pistols?

A. Yes, and he loaded them while I stood by the side of him.

Q. What did he load them with?

A. He loaded them with powder and ball.

Q. Both of them?

A. Yes, the balls were in the mahogany case.

Q. Having loaded them, what did he then do?

A. I said to him—"My boys, we have got plenty of ammunition and arms, we will be off," I pretending to be one of the party.

Q. What did Watson say or do. I beg your [illegible] pardon, what did the young man say or do?

A. He never said a word, but he went out of the [illegible] and looked to the left hand of him; then he [illegible] Newgate-street, and I never saw any thing more of [illegible] afterwards.

Q. Did you hear him say any thing, after he came [illegible] stairs, before he went out?

A. Not a word, he looked round on the left hand [illegible] before he left the shop, then he went towards [illegible] street.

Q. Was that after the mob had plundered the shop?

A. Yes, the mob was nearly gone when he went [illegible]

Q. I will not go into the detail of what the mob [illegible] when the mob broke into the shop, what did they do?

A. They took away the arms.

Lord Ellenborough. Is this necessary?

Mr. Richardson. No, my Lord, I think not.

Lord Ellenborough. Perhaps you can ascertain the quantity of arms taken away?

Mr. Richardson. Mr. Beckwith will prove that, my Lord—which way did the mob go?

A. Towards Newgate-street.

Q. Did you pick up any thing?

A. I picked up several things taken out of the shop.

Q. Did you pick up any lancets?

A. Yes, on the Wednesday morning in sweeping the counting-house, I found under the floor-cloth—

Q. Under the edge of the floor-cloth?

A. Yes, a pair of lancets.

Q. To whom did you deliver them?

A. To Mr. Beckwith, one of them has got the name of Watson scratched on it.

Q. Those you delivered to Mr. Beckwith?

A. Yes.

Q. One of them had some mark upon it?
A. Yes.
Q. What mark?
Q. One of them had the name of Watson?
Mr. Justice Abbott. Had it that scratch on when you [illegible] it?
A. Yes.

Cross Examined by Mr. Serjeant Copley.

Q. Did you see that mark upon it before you delivered it?
A. No.
Q. What did Mr. Beckwith do with them?
A. He put them by.
Q. How soon did you see them again?
A. Before the Lord Mayor, two or three days afterwards.
Q. There had been a surgeon there?
A. Mr. Beveridge.
Q. He came in almost immediately after the accident [illegible]ened?
A. Yes.
Q. This was on Monday, and on the Wednesday you [illegible] the lancets?
A. Yes.
Q. How soon did you take up the pistol.
A. Almost immediately.
Q. You ran to Mr. Platt to assist him?
A. No, I did not assist him.
Q. Your attention was taken up by Mr. Platt?
A. No, I was looking round the shop, there was a great [illegible]b round the door.
Q. What did you do with the pistol?
A. I had it in my hand for some time, and I then gave [illegible] another person.
Q. Your attention was engaged by the circumstances [illegible] were going on?

A. Yes.

Q. You made use of some little manœuvre to get rid of the people, and they went?

A. I did not speak to the people, only to the young man, and one or two others that were with him, the mob were almost all of them gone.

Q. On your saying this, he also went?

A. Yes.

Mr. William Andrews Beckwith, sworn.

Examined by Mr. Shepherd.

Q. Did you receive any lancets from your apprentice, John Roberts, in December last?

A. Yes, I did.

Q. Do you recollect when it was you received them?

A. The second or third morning after the rioters had destroyed my premises.

Q. Did you look at the lancets at any time after you had received them?

A. I did.

Q. You examined them?

A. I did.

Q. About how soon?

A. Directly.

Q. Did you discover any particular marks upon them?

A. I discovered the name of Watson, with the assistance of a glass.

Q. What glass do you mean, a common glass, or a magnifying glass?

A. A magnifying glass.

Q. Have you got them with you?

A. I have not.

Q. To whom did you give them?

A. I have them at home in my desk.

Q. Can you tell what number of guns, pistols, swords, nd other arms you lost on that day?

A. I cannot tell the exact number; I can tell you nearly he amount, between fourteen and fifteen hundred pounds uch.

Q. Can you state how many guns and pistols?

A. I have never counted them, I have got a list of them t home; I gave the Solicitor a copy, or nearly a copy of , at the Old Bailey.

Q. Can you speak to about the number?

A. I really cannot tell to ten or twenty.

Q. Speak to any number?

A. Thirty or forty guns, and double the number of pistols; at is within the number, certainly.

Q. That is within the number that you lost from your op?

A. Yes; I think it is considerably within the number that ere taken away.

Q. Were there any other arms besides guns and pis- ls?

A. I believe one sword, or hanger, powder and shot, and number of other articles.

Q. Was there any thing else besides the guns and pis- ls?

A. Powder flasks and shot charges.

Q. Ammunition and shooting instruments?

A. Yes, ammunition and shooting instruments.

Mr. Attorney General. I would beg of your Lordship that r. Beckwith should go home, and fetch the list of arms hich he lost, and those lancets. I do not mean that your ordship should wait, but there will most probably be suffi- ent time to allow of his return. I do not know whether my arned friend would wish to put any question to you.

Mr. Serjeant Copley. No, we will postpone it till he re- rns.

George Haslewood Worrall sworn.

Examined by Mr. Attorney General.

Q. I believe in the month of December you were a constable in the city of London, were you not?

A. Yes.

Q. On the morning of the 2nd of December, or on the day of the 2nd of December, were you at Mr. Beckwith's, in Skinner Street?

A. Yes.

Q. How came you to be there?

A. I was sent for by Mr. Chapple.

Q. When you went there, whom did you find, at least who was there?

A. There were a great number of people, about sixteen I suppose or seventeen, in the shop and the counting-house.

Q. Did you take any body into custody?

A. There was a young man committed to my charge, supposed to be young Watson.

Q. I do not ask you the name, did you take any body into custody?

A. Yes.

Q. It was a young man.

A. Yes.

Q. What did you do with the young man, when you first took him into custody.

A. I laid hold of him by the cuff of his coat, and was going to take him away to the compter. There was a gentleman, who I believe was Mr. Ireland, the hosier, on Holborn Bridge, says, "you are not going to take him away without properly securing him?"

Q. What did the young man say?

Lord Ellenborough. Is it material going over these circumstances again?

Mr. Attorney General. No, my Lord, I do not know that it is. Did you search that young man?

A. I did.

Q. Did you find any papers in his pocket?

A. I did.

Q. Look at those papers. *(shewing them to the witness)*

A. I believe those to be some of the papers.

Mr. Wetherell. We must have them pointed out one by one.

Mr. Attorney General. Take them one by one.

A. There is my mark, I believe, made upon them, with the three letters of my name.

Q. Did you mark them at that time?

A. No.

Q. When did you mark them?

A. I marked them some days afterwards, when I went down.

Mr. Wetherell. Had they been in his possession?

Mr. Justice Bayley. Were they ever out of your possession till you marked them?

A. Yes, they were, the head Marshal had them, Mr. Wontner.

Q. Was that in your presence?

A. Yes.

Q. Did you leave them with him?

A. I did.

Mr. Attorney General. Can you tell whether these are the papers you took from him or not?

A. I believe they are.

Q. Look at them?

A. I believe them to be them, but I did not take them into my possession at the time I searched him, I laid them down on the counting-house stool, on a little ledge by the window, and before I could take them into my possession, this large mob coming, they threw the gentleman's mind

into confusion, and mine too, and I went up stairs with young Watson, and after it was all over, I was called on duty to the Lord Mayor's, and I asked one of the marshalmen, if they would permit me to go back to Mr. Beckwith's shop, for that I had taken some papers from the young man, and that I had not them in my possession; I wanted to see whether they were left.

Q. Did you find them or not?

A. I found part of them, and a key—a similar key to one I took from his person, which I found on the ground by the counting-house stairs, standing upright, as if it had slipped off the stool, and some papers lying by, similar to those I had taken off his person; that was, I suppose, two hours after I had taken them from his person.

Q. Was that the place where you had put the papers when you first took them?

A. Yes, it was.

Mr. Serjeant Copley. I understood him to say, he had put them on a window ledge?

A. Some on a stool, and some on a window ledge.

Mr. Attorney General. How near did you find these to that place, on which you had left those you took from his person?

A. They were close, as if they had slipped off the stool.

Q. Are those the papers which you found when you went back to Mr. Beckwith's?

A. Yes, those—except this one.

Q. Do you mean that these are some you left there, or that some of these only are what you found there?

A. The whole of these, except this outside paper.

Q. Unpin the cover, and tell us which of them are those you found?

A. The whole of these.

Mr. Justice Bayley. How many are there?

A. Half a dozen.

Mr. Attorney General. Did you take any pistol while you were there?

A. There was a pistol put into my hands while I was searching him.

Q. Did you keep that pistol?

A. Yes, I did for a day or two.

Q. What did you then do with it?

A. I delivered it into the hands of Mr. Wontner, the head marshal; I marked it before I gave it over to him.

Q. Have you got it here?

A. Yes, I have.

The witness produced it.

Lord Ellenborough. When did you first get it?

A. At the time I was first searching the prisoner.

Mr. Attorney General. Do you know it to be the pistol you had given you at the time you were searching the prisoner?

A. Yes.

Q. I will not go through all the particulars, but you took the young man up stairs?

A. Yes; into the three-pair of stairs back room.

Q. Did you see any persons break the windows of the shop?

A. No, I did not.

Q. Did you hear any noise of any crash?

A. Oh yes, a very great noise.

Cross-examined by Mr. Wetherell.

Q. Do I understand you to say, that after you had searched this young man, and before you came back again, you were absent about two hours?

A. I think about two hours.

Q. Then you came back, and you found some papers in the shop?

A. In the counting-house, and this key—I remembered

taking a similar key from his person, and I unlocked his bed-room door with this key, where he lodged.

Q. You delivered the papers over to Mr. Wontner?

Lord Ellenborough. Did I understand you to say, that you unlocked his door with that key.

A. Yes.

Q. What led you to believe that was the key of his door?

A. The Lord Mayor sent Fogg, one of the marshals' men.

Mr. Justice Abbott. He did not tell you where he lodged?

A. No.

Q. But you unlocked a door of a room with that key?

A. Yes.

Mr. Justice Bayley. Where was the door you unlocked with that key?

A. I think it was in Hart-street, Bloomsbury.

Q. Do you remember the number?

A. I cannot say positively.

Q. Who went with you?

A. One of the marshals' men, Fogg.

Mr. Attorney General. In what street, Bloomsbury was it?

A. I think Hart-street or Hyde-street.

Q. Do you know the name of the person who was there in the house?

A. No, I do not; I know him by person, because I asked him before I opened the door.

Q. You know the master of the house?

A. Yes, I do.

Q. Do you know his name?

A. I do not.

Q. Do you know his person?

A. Yes, I know his person.

Q. Was it at the house, where that person was master of the house, that you tried the key?

A. It was.

Q. What was the name of the street, Hart-street or what?

A. I think Hyde-street.

Mr. Wetherell. When you went back and got the papers, you delivered them over to Mr. Wontner?

A. No, not immediately.

Q. How long were they but of your possession before you marked them.

A. A day or two, I marked them at the Secretary of State's office.

Q. Let me look at the key—is not it a common sort of a key?

A. This was the only thing that I took notice of, taking it from his person, particularly of its size and of its description; as soon as I took it up I knew it to be the key that I took off his person.

Mr. Justice Bayley. Where did you lay that key and those papers?

A. I put a great many of them on the pocket-book on a counting-house stool, and a little ledge near the stool.

Q. You went from thence to the Lord Mayor?

A. Yes.

Q. When you returned you did not find all the papers?

A. No, there were not half of them left—there were best part of them gone away.

Q. But there were some of them left, and the key?

A. Yes, the key appeared to have slipped off the stool, and was standing against the stool and the wainscot.

Q. You have there a pistol?

A. Yes.

Q. By whom was that delivered to you?

A. It was given me by one of the gentlemen who was there.

Q. Do you know Roberts, the apprentice of Mr. Beckwith?

A. Yes.

Q. Was he present when that pistol was delivered to you?

A. He was either in the shop, or in the counting-house: I suppose there were sixteen gentlemen there; as soon as the mob came they all flew.

Q. You carried that with you to the Mansion-house?

A. No, I did not carry it to the Mansion-house; after I left Mr. Beckwith's shop, I took it to my own house and hid it.

Q. When you came back, you found it where you had hid it?

A. Yes.

Q. Did you mark it?

A. When I came from the Secretary of State's office, Mr. Wontner came to my own house.

Q. Did you keep it in your possession till you marked it?

A. I did; and then afterwards, when I had marked it, I delivered it to Mr. Wontner.

Q. That is the pistol?

A. That is the pistol, I know.

(*Zaccheus Bannister came into Court.*)

Mr. Attorney General. Look at that person who has just come in—is that the master of the house whom you saw where you went with the key?

A. It is.

Mr. Justice Abbott. What is his name?

Mr. Attorney General. Zaccheus Bannister.

A. I asked him——

Mr. Attorney General. I do not ask you what you asked him, only whether he was present—was he present when you unlocked the door?

A. He was.

Mr. Wetherell. I will take the liberty of submitting to your Lordship, whether these papers are sufficiently identified to be received at all?

Lord Ellenborough. They have not been offered in evidence at present.

Mr. Wetherell. My Lord, I must reserve the same objection as to the pistol, when that is offered in evidence—when was the first time you stated these transactions, and that you had these things.

A. To the Lord Mayor on the same evening at the Compter.

Alderman Sir James Shaw, Baronet, M.P. sworn.

Examined by Mr. Solicitor General.

Q. Do you recollect the 2nd of December last?

A. I do.

Q. Were you at the Royal Exchange on that day?

A. I was.

Q. About what hour?

A. I think about half past twelve.

Q. Had you, before you were at the Royal Exchange, seen a large mob of persons any where?

A. The first sight that I obtained of the mob was in Cornhill; the Lord Mayor and myself had heard that the mob was approaching the City, and we went in pursuit of them; and the first time that we saw them was as they were crossing the front of the Royal Exchange, advancing: we found it would be very difficult to take them in front; and seeing a column pass down Sweeting's Lane, and make a turn to the east side of the Royal Exchange, we immediately rushed through the Royal Exchange, to endeavour to take them in front on the other side—we accomplished that: in passing through the north door of the Royal Exchange we met them in front, between the north door of

the Royal Exchange, and the house known as the Old Stock Exchange, in Threadneedle Street; the Lord Mayor and myself having received information of the priot occurrences in the City, determined upon the necessity of putting them down; we immediately approached them with as much expedition as we could, and seized several of those who appeared to be the ringleaders,—we likewise seized the flag.

Q. They had a flag with them?

A. They had one flag.

Q. What sort of a flag was that?

A. A flag of three colours, on a very long pole.

Q. Were the persons, or any of them, armed, at that time?

A. I, myself, did not perceive any arms at that time; the reason of that probably might have been, that the instant I saw the colours, my mind was impressed with the notion of the absolute necessity of seizing the colours, as the most likely means of dispersing the mob: I therefore made all the exertion I could to seize them.

Q. Did you seize the flag?

A. I seized the flag and the pole?

Q. Is this the flag? *(producing it.)*

A. I have every reason to believe that is the flag.

Q. What did you do with it afterwards?

A. I kept it in my possession till it was put into a place of security; it was delivered to the Master at Lloyd's, in order that the Lord Mayor and myself might be left at liberty to pursue the remnant of the rioters.

Q. You believe that to be the same?

A. I believe it is; I could have spoken positively to the pole if it had been there,—it is precisely of the same description with the flag which I took.

Q. Do you recollect the inscription upon it?

A. *I think* there were three inscriptions.

Q. Nature to feed the hungry?

A. Yes; and Justice to punish Crime?

Mr. Solicitor General. You may look at that.

A. That is the same, I am sure.

Mr. Wetherell. There is no doubt of it.

A. It is marked in the same way, of the same colours, with the same inscription.

Mr. Solicitor General. You say you did not at the mo-nt perceive any arms; did you hear the report of any kets?

Q. Yes; and I saw a musket taken from a man close by

Q. And you heard firing?

A. After I had retired into the Exchange to secure the isoners, there were two muskets fired.

Q. Where did you retire?

A. To secure the prisoners we retired to the centre of yal Exchange; I would mention, that as soon as we taken the flag, the mob dispersed in all directions; it s after that the Lord Mayor suggested

Q. I must not ask you the Lord Mayor's suggestions, did you hear any report of any fire arms after it?

A. Yes, I think of two.

Q. Whereabouts were those discharged?

A. They were discharged under the door of the Royal change.

Q. Had you closed the door on your going into the yal Exchange with the prisoners?

A. Yes, there was an intimation of the rioters attempting rally, and the Lord Mayor directed the doors should shut.

Q. After this you heard the report of arms under the or?

A. I did.

Q. At the time the door was closed, and these pieces discharged, some of those whom you had seized were in the Royal Exchange?

A. Several of them.

Cross-examined by Mr. Serjeant Copley.

Q. There were two pieces discharged under the door?

A. Yes.

Q. Do you know whether they were loaded with any thing but powder?

A. I cannot speak to what they were loaded with.

Q. Have you any reason to believe they were loaded with any thing but powder?

A. I cannot speak at all to that.

Q. Where were you when you first heard the account of this mob coming into the city?

A. I was at the Mansion House; about twelve o'clock I went to the Mansion House in order to learn what arrangement the Lord Mayor had made in the event of any mob: I had not been there above one or two minutes before several messengers in succession arrived to acquaint the Lord Mayor, that a mob of several thousand persons (it was so stated) were approaching the city; and lastly, that the shop of Mr. Beckwith had been plundered, and a man shot.

Q. In consequence of this, you and the Lord Mayor proceeded to meet this mob?

A. Immediately.

Q. What attendants had you with you?

A. The only attendant we had was a gentleman, an acquaintance of my Lord Mayor, Mr. White, and we collected two constables in the Mansion House, we proceeded towards Guildhall to get further assistance; but this being at an earlier time than the Lord Mayor had directed the attendance of the constables, we could procure only three more, so that in all we had only five constables.

Q. The whole party consisted of eight?

A. Yes, of eight.

Q. Had you any arms with you?

A. None.

Q. Had any of the party arms?

A. None.

Q. Where did you first meet the mob?

A. The first of our seeing the mob, as I have already mentioned, was in Cornhill, as they were passing from the Royal Exchange.

Q. That is, passing on the south side of the Royal Exchange?

A. Yes.

Q. Do you also know whether any of them were on the other side, the north side of the Royal Exchange?

A. At that time I presume none.

Q. Seeing you, did they alter their course, and take the north side?

A. They did not see us; we were in their rear, we were desirous of getting in the front for the purpose of dispersing them; we saw the flag, and thought the most probable way would be to encounter the leaders.

Q. Your operation was to go through the South gate of the Royal Exchange, and so to the North gate?

A. Yes.

Q. When you got through the Royal Exchange you met the mob?

A. Yes, we met them between the Royal Exchange and the Old Stock Exchange proceeding towards the Bank.

Q. That is one of the main streets that leads into the city?

A. Yes.

Q. There you for the first time came up with them?

A. Yes.

Q. And you being an unarmed party, succeeded in dispersing them?

A. For that time.

Q. Was any resistance made that was at all effectual?

A. No.

Q. You seized the standard, and they all dispersed in every direction?

A. The Lord Mayor and others present seized several persons.

Q. There was no resistance then?

A. I cannot say there was no resistance; the person who had the standard made a struggle, but he was a short man, I was a much stronger man than he was.

Q. He struggled to escape?

A. To retain the standard.

Q. You felt very little alarm at what was going on?

A. I thought it was our duty as magistrates, to endeavour to protect the peace.

Q. Did you feel any personal alarm?

A. I apprehend there was no personal alarm felt by any of the party at the time; we were acting in the discharge of our duty.

Q. Persons sometimes are very firm in the discharge of their duty, though feeling a little alarm; but you had no alarm, nor do you conceive any of the party had?

Mr. Solicitor General. What the witness thinks is not evidence.

Mr. Serjeant Copley. Previously to the meeting on the 15th of November were measures taken for the security of the Metropolis?

A. I have no precise recollection of what was done on that day.

Q. You are aware of what I am adverting to, namely, the first Spa Fields meeting?

A. Yes, I recollect it.

Q. What was done in the city on that day you do not recollect?

A. No.

Q. You had previous notice of the meeting on the 2nd of December?

A. Yes.

Q. Were there previous directions given to insure the safety of the city?

A. There were, the Lord Mayor had given directions, but not at so early an hour as this occurred.

Q. Was it known?

A. All the magistrates had notice of it.

Q. Were there not bills posted round the city, giving general notice of it?

A. There were.

Q. How long was this before the 2nd of December, that this general notification was made?

A. I cannot remember the precise day; it was a matter of public notoriety.

Q. Was it two or three days before?

A. I cannot speak to the day.

Q. After the gates were shut, and you were inside the Royal Exchange, how long did the gates remain closed?

A. I really cannot speak to that.

Q. I do not ask you to speak with particular accuracy.

A. I believe before the gates were re-opened, the Lord mayor and myself had left the Royal Exchange in pursuit of the remnant of the rioters, having received information that a small remnant of them had proceeded to the east end of the city.

Q. Did you, in consequence of that pursue them?

A. We in consequence of that left the Royal Exchange, and went in pursuit of them; we got as far to the eastward as Leadenhall Street, where we were stopped by an acquaintance of the Lord Mayor, who told us, that the

rioters were completely dispersed, that they had completely separated; that induced us to return.

Q. Satisfied with that information, you returned home?

A. Yes.

Q. How long might this attack upon the rioters near the Stock Exchange last; a minute?

A. It was very momentary.

Q. Not a minute, perhaps?

A. Perhaps not.

Re-examined by Mr. Solicitor General.

Q. It was after you had secured the persons of some of the ringleaders, and they had for the time dispersed, the two shots were fired under the door of the Royal Exchange?

A. It was.

Mr. Wetherell. He has not said there were any shots.

Mr. Solicitor General. That the guns were discharged?

A. Yes.

Mr. Serjeant Copley. Was there any trace of any shot? was any body hurt?

A. Nobody was hurt; I cannot speak to whether there were any traces; I heard the report only.

Mr. Attorney General. Was either of these the pole of the flag you seized?

(Three poles being brought into Court.)

A. It was neither of these three.

Mr. Attorney General. My Lord, I now propose to read those papers that were found upon the young men at Mr. Beckwith's.

Mr. Wetherell. My Lord, I must take the liberty of submitting to your Lordship, an objection against these papers being read; what they are I know not, but I conceive, for the purpose of preserving consistency, and the rules of evidence with relation to the person at the bar, it is necessary that the point of evidence should be attended to. I

apprehend the fact stands thus, that the constable, Mr. Worrall, searched this young man at Mr. Beckwith's shop, and took from him a parcel, which he says contained papers; the witness does not represent that he read them over, or that by reading any part of the contents of the papers, or from any other circumstance, he is able to identify these as being the papers which he took out of his pocket, and deposited in the place described; consequently, the original taking of the papers is unaccompanied with any mark of identity whatever. My Lord, in that view, therefore, of the case, the proposition stands in all its abstract extent, that certain papers were taken from his possession——

Lord Ellenborough. Do you add any further evidence, Mr. Attorney General, with respect to these papers?

Mr. Attorney General. No, my Lord, I have no further evidence to add, with respect to these papers.

Mr. Wetherell. The fact, my Lord, stands thus, that a quantity of papers were taken out of the possession of this individual, they were neither read, nor marked by the individual who took them, so as to prove that they are the same. I understood him to say, they were put in a particular place in the counting-house, on a ledge of the desk, or the window, and part on the stool; whether they were dispersed in two places, I did not quite accurately collect from the witness. It appears then, that these papers were left in some confusion; thrown about, rather than placed in any place, enabling him to identify them again; then the person taking the papers, Mr. Worrall retired to the Mansion House on his duty, and the shop was delivered over to the possession of a mob—who the persons were who entered the shop, or what they might do with the papers does not appear—a quarter of an hour elapsed before the mob came back to break it open; but how long ultimately the mob were left in possession of the house we have not heard from any witness who has been called, my Lord——

Lord Ellenborough. None of them were stated to be in the actual position in which they were left, but to have all fallen down.

Mr. Wetherell. Just so my Lord, they were not in the place, as I understand, where they were deposited, he says they were near the place, as I understand him. My Lord, under these circumstances, I say, that identity of the place of deposit is not made out.

Lord Ellenborough. And the papers were out of his possession some days before he marked them.

Mr. Wetherell. I was coming to that afterwards.

Lord Ellenborough. I think Mr. Attorney General, unless you can carry this further, this will not do to introduce these papers which he conceives are what were left,—there were several taken away during his absence,—they were not in a place of safe and undisturbed deposit.

Mr. Attorney General. Certainly, my Lord, there was an interval of time.

Lord Ellenborough. Nor, when he got them, did he mark them,—there are two periods, during which great uncertainty rests upon them, and there was no previous inspection of them, to know that they are the same.

Mr. Attorney General. My Lord, when once the Court suggests any doubt upon them, I will not press them for a moment, it is quite sufficient that your Lordship has decided it.

Lord Ellenborough. Without looking at the other point, they were out of his possession before they were marked, so that the marking attracts no identification to them.

Mr. Solicitor General. No my Lord, certainly not,—we are quite satisfied.

Mr. Gurney. My Lord, there are three witnesses whom we intended to have gone on with, but something is taking place in the City which has attracted them there. We have sent to them to return, but we must, in the mean time,

go on with other witnesses, I mention that, my Lord, as our apology for going out of the order.

Lord Ellenborough. Do you offer the pistol now, or postpone that?

Mr. Gurney. We shall give further evidence with respect to the pistol.

Mr. Attorney General. I am fearful to state to your Lordship what that evidence may be, lest it should be supposed, I am stating it irregularly.

Lord Ellenborough. Certainly, we only wished to know whether it was to be offered now.

Thomas Taylor sworn.

Examined by Mr. Gurney.

Q. On the second of December last, were you in Houndsditch?

A. I was in Houndsditch the beginning of December.

Q. The day of the mob?

A. Yes, the day of the mob.

Q. Did you see the mob in Houndsditch?

A. I did, I was at dinner, and I went down and saw them.

Q. Which way were they going?

A. Going towards the Minories.

Q. Have you since seen any one of the persons you saw walking with that mob?

A. Neither before or since to my knowledge.

Q. Look at those persons in the second row, and see whether you see there any person who was walking with that mob?

A. I do not remember near a one of them.

Q. Come a little nearer, and look, (*the witness went nearer.*)

A. I do not recollect any one of them.

Q. You do not remember any one of those persons?

A. I do not, they were all strangers to me, and I do not recollect any one of their persons.

Q. The mob went on towards the Minories?

A. They did, very quick.

Q. Did you observe any person walking with the mob who was lame?

A. I did observe a man walking next the door, that came on the foot pavement, that was lame, but I did not see his face, he was looking at the mob with the guns on their shoulders, some of the mob had guns on their shoulders, and he was looking towards them.

Francis Kinnersley, sworn.

Examined by Mr. Gurney.

Q. Are you a Constable?

A. Yes.

Q. Were you in the Minories on the 2nd of December?

A. I was.

Q. Did you see the mob there?

A. Yes.

Q. Had the mob any arms?

A. Yes.

Q. What arms had they when they came?

A. Guns, pistols, and cutlasses.

Q. Did the mob attack any shops in the Minories?

A. I did not see that, I was summoned to attend at Guildhall.

Q. Had the shops been attacked before you saw the mob?

A. I believe they had.

Mr. Wetherell. You must first prove that the event took place, but you assume that.

Mr. Gurney. Oh! the fact is so notorious——did you see any shop attacked?

A. I was at the top of the Minories, and I saw a great mob of people about Messrs. Brander and Potts's door.

Q. Are they gunsmiths?

A. They are.

Q. Was that shop broken open and plundered?

A. I cannot say.

Q. Did you see the windows broken in, and the guns gone?

A. No.

Q. Did you see any gunsmith's shop that was broken open?

A. Yes, afterwards, but not at that time.

Q. Whose was that?

A. Brander and Potts's, and Mr. Rea's—both.

Q. Was that done before you got there, or afterwards?

A. It was done before I got there.

Q. Then you might have told me that you got there after it was done—did you see any person, whom you have since seen in custody among the mob?

A. I did.

Q. Who was that?

A. Mr. Preston.

Q. Did you see him for a moment, or for any longer period of time?

A. The way I came to see him was——

Q. I do not ask the way you came to see him; but did you see him for a moment, or at different times?

A. I saw him in the mob at three different times.

Q. At the same place, or at different places?

A. At different places.

Q. Was he alone, or among whom did you see him at each different place?

A. He was in the mob.

Q. How long were you there before the soldiers came?

A. About ten or twenty minutes—I cannot justly say.

Q. Was it before the soldiers came you first saw him?

A. It was after the soldiers came.

Mr. Wetherell. We must have the fact of the soldiers coming first.

Mr. Gurney. Did the soldiers come?

A. The soldiers were there in about ten or twenty minutes after I came there, but the confusion was so great I cannot speak to a minute.

Q. Was there a good deal of confusion?

A. There was.

Q. Upon the arrival of the soldiers, what took place with respect to the mob?

A. They dispersed in all manner of directions.

Q. What did the mob do with the arms they had?

A. Some the soldiers took from them, some I did, and some they dropped.

Q. How many did you collect altogether yourself?

A. I suppose it might be, I cannot justly ascertain, about forty or fifty fire-arms, besides pistols and cutlasses.

Q. Were there any arms besides those,—was there any larger piece?

A. Yes, there was one piece of cannon.

Q. Did you take that also?

A. Yes.

Q. Did the military remain there some time?

A. Yes.

Q. After the mob had first dispersed and thrown down their arms, did there still remain an assemblage of persons about them?

A. A vast quantity.

Q. What did those persons say and do?

A. They hissed and shouted, and made use of degrading language to the soldiers.

Q. Degrading language to the military?

A. Yes.

Mr. Wetherell. He did not say to the military.

A. I said to the soldiers.

Q. Did you see Preston among any part of the mob at that time?

A. I did.

Q. Did you fix your eye upon him intently?

A. I will tell you, how I came to see him——

Q. I did not ask that, but did you fix your eye upon him?

A. I did.

Q. Did he perceive it?

A. I cannot say, but I should think he must have, by the staff being in my hand.

Cross Examined by Mr. Wetherell.

Q. Were you examined at the Lord Mayor's?

A. Yes, I was.

Q. Did not you state to the Lord Mayor that Preston was standing with his hands in his broeches pockets, as I may do here?

A. He had his hands in front, in this way, *(with the hands together.)*

Q. They might be in his waistcoat pockets?

A. They were somewhat in that shape.

Q. And you so stated at the Lord Mayor's, did not you?

A. Yes.

Q. You did not state that Preston was hissing, and using this degrading language, I believe?

A. I did not.

Q. Did you not state the contrary, that Preston was standing very quietly upon the pavement, and did not hiss?

A. I did; that was what made me take notice.

Q. You took notice of him because he was behaving so quietly?

A. I did.

Q. You stated so to the Lord Mayor, I think?

A. I did.

Q. Had you been at this place before the military came up, or did you come into the Minories as the soldiers came there?

A. I live in Hanover Court, Houndsditch, I was going to Guildhall, and I inquired the reason why the shops were shut up, I heard a very great noise, and inquired what was the cause of it, and Mr. Benson told me——

Q. I must not have any thing of that, only what you saw yourself?

A. I heard that the mob were gone with fire-arms and different things.

Q. Did you see any thing which took place at the house of Brander and Potts, or of Rea?

A. I went to the top of the Minories, I saw the mob—what they were doing at the bottom of the Minories I cannot say—I went and communicated the business to the Lord Mayor immediately.

Q. As soon as the soldiers made their appearance, the mob dispersed in all directions?

A. They did.

Q. They threw away their arms?

A. Yes.

Q. You picked up some of them?

A. I did.

Q. Now as to this degrading language, you have heard mobs hiss before?

A. I have.

Q. Did this mob hiss the same as a common mob?

A. Just like a common mob.

Q. What was the language they used?

A. They were damning and blasting, and very outrageous——

Q. Just like other mobs?

A. Yes, they were behaving in a most outrageous manner.

Q. Have you seen other good people in mobs act in the same outrageous manner?

A. Yes, I have.

Re-examined by Mr. Gurney.

Q. I think you say, when you came out into Houndsditch, you found the shops shut up?

A. I did.

Mr. Wetherell. Did you state to the Lord Mayor, that your reason for remarking Preston was, that his behaviour was so quiet?

A. I did.

Mr. Justice Abbott. I think you said you were going to Guildhall, in consequence of your having an appointment there?

A. Yes.

Q. What was the time you were appointed to be at Guildhall?

A. I think it was two o'clock.

Mr. Gurney. Were the shops in the Minories also shut up?

A. Every shop;—that was, before I went to the Lord Mayor's.

Q. All business suspended; and the shops shut up?

A. Every one, I do not think there was one that was not shut up.

John Hall, Esq. sworn,

Examined by Mr. Richardson.

Q. I believe you are a merchant of the city of London, and at present high sheriff for the county of Essex?

A. I am.

Q. Where is your place of business in the city?

A. In the Circus in the Minories.

Q. Did you see any mob in the city on the 2nd of December?

A. I was told the mob was coming down the Minories; in consequence of which I immediately proceeded to Mr. Rea's shop, and assisted him in closing it up; expecting that the mob would come there for the same purpose as they had been at Mr. Beckwith's.

Q. You had heard that they had been at Mr. Beckwith's shop?

A. Yes.

Q. Mr. Rea is a dealer in the same articles?

A. Yes.

Q. And you assisted him in closing his shop?

A. I did.

Q. While you were there did the mob arrive?

A. They did not; they arrived at Brander and Potts's shop, whilst we were occupied in closing Mr. Rea's shop.

Q. Brander and Potts are also gunsmiths?

A. Yes.

Q. And their shop is higher up?

A. It is.

Q. What did you observe them do?

A. When I arrived opposite the shop of Brander and Potts———

Q. You advanced up the Minories?

A. Yes; when I arrived up at Brander and Potts's the mob just made their appearance, and immediately attacked the windows and shutters of Messrs. Brander and Potts with pick axes.

Q. Were Brander and Potts's shutters closed.

A. They were.

Q. Were the shops in the Minories in general closed?

A. They were.

Q. They attacked the doors and shutters with the swords?

A. Yes, and with the butt-ends of muskets. I then saw

one of the men, after having made an aperture over the door, creep in over the door into the shop.

Q. Is there a window?

A. There was an opening, something like a fanlight window, into which the person got; and, in the mean time, he succeeded in breaking the shutters away from the shop-window. I saw them remove nearly the whole of the arms that were placed in the window, and in the shop, taking them out to the populace; those outside the shop were occupied, some of them in firing their arms into the air—loading their guns, and firing them off into the air.

Mr. Justice Bayley. Did they load again after firing.

A. Yes, repeatedly they fired them off, like a *feu de joie*, into the air. Finding there was no military assistance, I immediately proceeded to the Tower, to obtain military assistance, if I could have got it.

Q. Did you obtain any assistance there?

A. No, I did not; it was refused me. I then returned to the Minories, and fixed myself near Rea's shop, to which the mob at that time had arrived, with a view of marking some of those whom I might be able to distinguish, as being the leaders of the party there.

Q. Did you observe them attentively, as much as you could with that view?

A. I did.

Q. What did you see them do at Rea's?

A. By the time I came back they had broken the door. I went round and I saw them attacking the door of Mr. Hewson, being the door of a gentleman who occupies the upper part of the house, under which Mr. Rea's shop is.

Lord Ellenborough. Does he keep the shop there?

A. No, he keeps a lodging-house above; they wished to make a clear passage through into Rea's shop, and that they effected.

Mr. Justice Abbott. That door is in another street?

A. Yes, it is in a narrow street.

Lord Ellenborough. Hewson has the upper part of the house.

A. Yes.

Mr. Richardson. What passed when you came back?

A. That took a considerable time, it afforded considerable resistance, and with the butt ends of muskets and pickaxes, and such things, they forced it; it took them at least minutes to force their way by that door.

Q. Did you observe any other preparation made for forcing the door, besides pickaxes, and the butt ends of muskets?

A. A small brass barrelled piece was brought up opposite the door.

Q. By the mob?

A. By the mob, as I presumed, with a view to fire into the door, not being able to get access into the house.

Q. Was that placed opposite to the door?

A. Yes; it appearing to be fully loaded up to the muzzle, I thought it prudent to withdraw—I thought if they attempted to fire it off it would burst.

Q. Did you see the loading?

A. There was something like wadding hanging out of the mouth of it, it seemed to be filled with something; I withdrew to a short distance from the premises, but still keeping an eye upon those who were taking the lead with the mob.

Q. You saw them force the door with pickaxes, and the butt-ends of muskets?

A. Yes.

Q. Having burst that door, did any of them rush into the house?

A. They did.

Q. Was Rea's shop plundered of the arms in the same way as you have before spoken of Brander and Potts?

A. Yes.

Q. And delivered to the mob on the outside?

A. Yes; when they had forced this door, they delivered them out of both doors, at least the window in one street, and the door in the other, and they brought out various other articles, apparel, and so on, and gave to the mob.

Q. Having observed with as much attention as you could, those who appeared to be ringleaders in the transaction, be kind enough to state whether any of the persons in custody now in Court were there?

A. Since I came into Court yesterday, the features of Thistlewood have struck me as extremely remarkable, so as to state that I am certain he was there, and that he was active; there is one doubt as to the colour of his whiskers, they appeared to me on that day to be of a lighter colour than they are now.

Q. What is your other observation with respect to his other features?

A. I have no doubt with respect of the rest of his countenance.

Q. Have you observed him attentively?

A. I have.

Q. And he appeared to you to be very active?

A. Yes.

Q. Was his dress similar then to what it is now?

A. No; he wore a great coat at that time close buttoned.

Q. Of what colour?

A. That I have no immediate recollection of, from the circumstance of the mob being about him.

Q. You observed his features more particularly?

A. I observed the features of the party, and not their dress.

Q. Had he any weapon?

A. He had none at the time I saw him.

Q. Did you see any of the other prisoners?

A. No, none of them; there was one other pitcher whom I did not mark particularly on that day, who has been convicted at the Old Bailey.

Q. Was that Cashman?

A. No, Simmonds.

Q. Were you there at the time that the soldiers came?

A. I was.

Q. And when the mob dispersed?

A. The mob moved off five, if not ten, minutes before the military appeared.

Q. And where going up the Minories?

A. Yes; there were stragglers remaining.

Q. Did you proceed in collecting the guns?

A. I applied to several of them to deliver up their guns, which they did, several of them, after the main body had moved off, some sailors and others.

Mr. Justice Bayley. That was before the military came?

A. Yes, it was before the military came.

Cross-examined by Mr. Serjeant Copley.

Q. This was in the month of December?

A. It was.

Q. Have you ever seen Thistlewood, from that time to the present?

A. I have not, but I have described the appearance of him.

Q. That description, in all respects, did not turn out to be accurate, did it?

A. The description in regard to the features, in general, is most accurate; the dress certainly, I have never described.

Q. There is one particular, in which it turned out your description was not accurate?

A. I am not aware of that.

Q. You did not describe the features?

A. I described the features I saw.

Q. There was one circumstance not corresponding with the idea you had?

A. Yes, with regard to his whiskers.

Q. There was a great deal of confusion?

A. Yes, but my attention was particularly fixed on their features.

Q. When you saw him yesterday, he was sitting here as one of the Prisoners?

A. He was.

Q. You knew that he was one of the parties charged at the time?

A. Yes.

Q. You had not seen him from the second of December, to the present time?

A. No, except on that day.

Q. In this riot, which took place at the Minories, after they broke open the house of Brander and Potts, you describe them as loading the guns, and firing them off, without any aim or object, a sort of *feu de joie*.

A. Certainly I did not perceive any disposition in the mob to do any personal violence to any body, their object seemed to be to obtain arms.

Q. And when they had got the arms, they fired them off?

A. Yes, as a commemoration of the victory of having obtained them.

Q. They did not seem to know to what use to apply them?

A. No, very few of them certainly.

Q. They did not confine themselves to taking arms, they took clothes, and other things?

A. They did at Rea's.

Q. Had you any conversation with the people there, to know what they were aiming at?

A. Not with the mob in the first instance, when the mob made their appearance at Brander and Potti's door, I con-

sidered their numbers so contemptible, that I offered, if any would join me, I would have disarmed them, I thought twenty persons would have been sufficient at that time.

Q. After that time a number of idle persons had joined them?

A. When I returned from the Tower to Rea's shop, I suppose the mob had increased to four or five hundred.

Q. Did they appear to be idle persons who had joined them?

A. From the appearance of them, I should think the greater proportion were of that description.

Q. So much so, that after they had got the arms, before the soldiers came, on your application, many of them gave them up.

A. They did so.

Q. At the time did they know to what use they were to apply them?

A. I do not think they did, they had the arms distributed to them without having any specific object, those persons to whom I applied for the re-delivery of them, appeared to be idle stragglers about.

Q. And who gave them up without any resistance on the first application?

A. They did.

Q. In what direction did the persons go off with those arms?

A. Up the Minories, towards Aldgate.

Q. Is that towards this end of the town?

A. The Minories runs north and south.

Mr. Justice Bayley. Coming from the Tower, or going towards the Tower?

A. From the Tower.

Mr. Serjeant Copley. Having got those arms, they went away from the door?

A. Yes.

Q. You applied at the Tower for some force?

A. Yes, I did.

Q. They refused you?

A. Yes they did.

Q. Did they think it too contemptible?

A. They said they had no orders, I had great difficulty in etting in at the wicket.

Q. Was their force there?

A. The guard was under arms.

Q. Was the draw-bridge raised?

A. I did not get so far as that.

Q. To whom did you apply?

A. The Officer of the guard, I told him, I conceived, bout twenty soldiers would be sufficient to put an end to he proceedings in the Minories.

Lord Ellenborough. What did he say?

A. I understood him, that he could not send troops out of he Tower, without orders.

Mr. Serjeant Copley. It was your opinion, that twenty, or ive and twenty, would have put down this mob?

A. That was my opinion at that time.

Q. Was there any appearance of any people collected on Tower Hill, in any force?

A. Not previous to the mob entering the Minories.

Q. Afterwards?

A. When I returned, there were in the Minories four or ive hundred persons. Rea's shop is so low in the Minories, that part of that mob would be on Tower Hill, and part in the Minories.

Q. What were the mob doing?

A. They were shouting and huzzaing, and there were some drunken women among them, with sabres in their hands; the arms were so numerous, in fact, that any person might have had them that chose.

Q. Any person might have picked them up?

A. Yes.

Q. Was there any attempt of any kind to attack the Tower?

A. I saw none; but I ought to state that my situation was such as to preclude me from seeing them, for I had placed myself in the narrow street near Rea's shop.

Q. You did not see the Tower attacked?

A. I did not.

Q. You never heard of any attack on the Tower?

A. I did not.

Re-examined by Mr. Richardson.

Q. Were any of the mob armed before they came to the Minories?

A. Yes.

Q. With what?

A. Muskets and pistols; and there was a drayman who had a pike, but I calculated that the numbers were not more than fifteen or sixteen armed persons before they attacked Brander and Potts's shop; at least I saw no more.

Q. Some persons delivered up arms to you upon your application to them; they were the stragglers who remained after the main body of the mob were gone up the street?

A. Yes.

Q. They had got more arms than were necessary to arm the whole body?

A. Yes, there were arms lying about the streets; those arms were more than sufficient to arm that number.

Q. Now, as to Mr. Thistlewood, you had not seen him from the 2d of December till yesterday?

A. I had not.

Q. As soon as you saw him yesterday, did the resemblance strike you?

A. Immediately—very forcibly; I set about considering how far the features varied from my recollection, and I conceived that the colour of the whiskers was lighter than

those appear to be now, and that was the only variance I perceived.

Lord Ellenborough. You have said that you looked on, with a view of marking the leaders of the party; at the time you applied yourself to the leaders of the party did you not imagine there was danger from the proceedings going on?

A. I conceived that those acts of burglary which were committed on the spot, endangered the safety of His Majesty's subjects, and I considered it proper to procure a force, if I possibly could.

Q. You thought there was a serious danger?

A. Certainly.

Q. When you applied at the Tower, you thought there was a serious danger?

A. Certainly, my Lord.

Mr. Attorney-General. My Lord, I understand Mr. Beckwith has been home and fetched those lancets and the other things, we desired; perhaps your Lordship will allow him now to produce them?

Lord Ellenborough. If you please.

Mr. William Andrews Beckwith, called in again.

Mr. Attorney-General. Have you brought the lancets?

A. I have.

Q. Are those the lancets that were delivered to you by your apprentice?

A. They are.

Q. They have been in your custody ever since?

A. They have.

Q. Has any alteration been made in them by putting any mark upon them since they were first in your possession?

A. No, I did not mark them, thinking it unnecessary; because they were never out of my sight, except when locked in the desk.

Q. Has any body made any alteration in them since they were delivered to you by your apprentice?

A. No. *(They were produced and handed in.)*

Mr. Attorney-General. Mr. Barlow, if there is any thing visible with the naked eye, you will read it; if not we will send for a glass.

Mr. Justice Abbott. Upon what part is the mark?

A. Upon the handle.

Mr. Justice Abbott. There appears to be an attempt first to make a W in print; then there is a W in writing, followed by a. t. s. o. n.

Mr. Solicitor-General. Yes, it is so, my Lord.

Lord Ellenborough. Have you seen it with a glass?

A. Yes, I have.

Mr. Shepherd. Have you brought with you a list of the arms you lost from your shop?

A. Yes, I have. *(producing it.)*

Q. Is that a correct list of all the arms in your shop on the 2d of December?

A. No, it is not; it is a list only of those arms that I lost, and not quite a correct list of them, for I have recollected since one or two others.

Q. Did you lose all the arms set down upon that paper upon the 2d of December?

A. They were taken away or destroyed on the 2d of December.

Q. There might be a few more?

A. Yes; that is most likely.

Q. How many were there?

A. Nearly the number I before stated; about forty guns, and between seventy and eighty pair of pistols.

Cross-examined by Mr. Wetherell.

Q. Were those lancets produced at the Old Bailey on the trial of Hooper?

A. No, not that I know of.

Q. You know that they were not?

A. They were not, I believe.

Mr. Martin Brander sworn.

Examined by Mr. Shepherd.

Q. You are a gunsmith in the Minories?

A. Yes.

Q. State what took place about your house on the 2d of December last?

A. Sometime about a quarter past one o'clock, the rioters came before our house; we could not see any of them, for we had got our house inclosed in; they stopped before the house, and I could hear them say while I was in my counting-house, "This is the house."

Q. First of all, state the situation of your house?

A. It is No. 70, in the Minories, on the left-hand side going down.

Q. Is the shop open to the street?

A. Oh yes; like other shops, open to the street.

Q. Before you saw the mob———

A. I did not see the mob; we were all shut in the same as if it had been twelve o'clock at night, and all secured and barred up; it was just done before the mob came to us.

Q. Was that in consequence of your hearing that the mob were coming?

A. Yes.

Q. State what passed when the mob came?

A. When the mob came into the street, about a quarter past one, they said, "This is the house," I heard them say it, then after they had stopped a second or two, they

knocked at the door, and rang three times, and said, "If you will not open the door we will break into the house, and knock the house down about you."

Q. They said that?

A. Yes, they did.

Q. Did you hear any thing else?

A. They fired guns off in the street, they were fired up in the air.

Q. What took place then?

A. They rung three times at the bell, we never went to the door, only stood in the counting-house; they then began hammering against the shutters, or with pick axes or pole axes, which have a spike at one side and a blade at the other, they were cutting the shutters and breaking them through, then they forced them down.

Q. Did any body at last get in?

A. The first that got in was a young lad over the fanlight of the door; he got up first, broke all the glass; he seemed to be a young lad about eighteen.

Q. What did he do when he got inside the house?

A. As soon as he got so far, he asked them to give him arms, and they gave him a sword and pistols from without.

Q. Who gave that?

A. We could not tell that, it was from without, he then came in and advanced in the house.

Q. Was Mr. Potts in the house?

A. Yes; he was in the counting-house, and this young fellow stood over Mr. Potts, with a pistol presented to his breast in one hand, and a cutlass in the other, during the whole time.

Q. What took place then?

A. He asked for keys, he says, "Keys, I have no keys, you have possession of every thing," he then went back and chucked some things out to the people in the street,

and he handed some unfinished muskets out of the fan-light, there was then a knocking against the shutters:—it increased.

Q. Did they at last get into the shop?

A. They did; they broke in the shutters, and the glass, and all; and when some of them got in through the glass, they then could not get the street door open because the key was taken out, and they came up swearing about the key, and asked me about the key; I told them I did not know where it was, I supposed they had it.

Q. What did they do when they got in with the arms?

A. They handed them out into the street.

Q. How many came into the shop?

A. I suppose about twenty came into the shop.

Q. What quantity of arms did they take?

A. I cannot take upon myself to say that; at my solicitor's there is an account of the quantity of arms.

Q. How many did they take in your opinion?

A. I suppose thirty or forty guns, I dare say between forty and fifty pair of pistols, swords of different kinds, and dirks.

Mr. Justice Bayley. You cannot say how many swords?

A. No, I cannot, if I had known this had been wanted, I could have sent to my solicitor for it.

Q. Were there two or four or five?

A. More like about three dozen, I am speaking within compass—there were dirks and pikes.

Lord Ellenborough. What sort of pikes?

A. A long staff with a piece of iron at the end.

Mr. Justice Abbott. Was there any powder or shot?

A. There was four pounds of powder which they took away, and they took some bags of shot and some flints.

Cross-examined by Mr. Wetherell.

Q. About four pounds of powder?

A. Yes.

Q. Do you deal in powder as well as in fire arms?

A. Yes; most of the gunsmiths sell gunpowder, that is, sporting gunpowder, the Dartford gunpowder.

Q. There were about four pounds?

A. Yes.

Q. Did they take any bullets out of your house?

A. A great many I suppose, they took of small shot and pistol shot about two hundred weight.

Q. Before they began to break into your house, how many people were there round it?

A. I cannot tell.

Q. Were you not in the house at the time?

A. Yes, on the ground floor.

Q. Did you not look out up stairs to see how many there were?

A. No, we had not time; we had but time to get the house closed before they came: a person came and informed me that they were coming.

Q. Then you had not time to go to the upper parts of your house, to see how many people there were collected?

A. No.

Q. When this young man had been let in at the fanlight—

A. He was not let in, he got in.

Q. Then they began battering down the shop windows?

A. Yes, more than they did before; they were knocking at them before, then they got some strong musquets, some military musquets, they were in that way three or four of them banging against it.

Q. After they had got these arms, did you go out of the house to see what they did with them?

A. No, we kept in our house.

Q. How long were they handing these things out of your house?

A. I suppose they were about five and twenty minutes from their commencement to their departure, and when they had got some of the musquets out of the shop, they used them to smash the windows.

Q. Did you see them fire off arms in the air?

A. They did that before they attacked our shop.

Q. Something like a feu de joie?

A. Yes, something of that kind, they did no harm to any body, unless the balls fell on somebody at a distance?

Q. Did they attempt violence to any human being?

A. No.

Q. There was no firing at any living being rational or irrational?

A. No, nothing of that sort that I know of.

Lord Ellenborough. Did not I understand you to say that they stood with arms over Mr. Potts?

A. Yes, the young man who came in first.

Q. There were others in your shop?

A. Yes a score, I dare say.

Mr. Wetherell. Was there any personal violence offered to you or your partner after they got the arms?

A. No, only he followed my partner all about with his pistol.

Q. How many feu de joies did they fire off after they got the arms?

A. Fourteen perhaps.

Mr. Justice Bayley. Do you mean rounds or shots?

A. Fourteen shots fired.

Mr. Wetherell. Together or at different times?

A. At different times; from the time they came till they went away;—I dare say there were as many as that.

Q. Did not these people appear after they had got the arms as if they did not know what to do with them?

A. It is obvious they did not know what to do with them, when they were loaded up to the very muzzle, and little pebbles and bits of stone put in them, and a little bras buckle in one of them.

Q. When they had got those guns, your journeyman desired them to give them up?

A. Yes, and they chucked them into the shop through the windows that were broken; there was one pistol burst and blew a man's finger off.

Q. Did you chance to see any female rioters?

A. No, we were in the counting-house; between our shop and our counting-house is a long bench and a window; and they broke the window and took out of the counting-house those which were there; I said to them, "why you will knock all the glass to pieces."

Q. You seem to be a very good humoured man, I dare say you kept your temper very well?

A. Yes, I thought it was of no use being out of temper, or get harm.

Q. You took it very good humouredly; I dare say you took it very patiently?

A. Yes, there was no getting assistance, therefore it was of no use.

Q. Did you go afterwards towards the Tower?

A. No; but one of our young men came in, and I sent him out at a narrow passage, the door being shut, and so down to the Tower to let the governor know what they were doing, and to request he would send us a score of men, and he sent word back——

Mr. Solicitor General. Never mind that; you sent for a score of men?

Mr. Wetherell. By a score you meant twenty?

A. Yes.

Q. Did your lad ask for a score particularly?

A. My lad was to ask them to send up any men they could?

Q. Half a dozen red-coats would have done I should think?

A. I fancy that would have done.

Q. You think half a dozen red-coats would have done?

A. I have no doubt but it would.

Q. Having sent to the governor for some red-coats to come up, you do not seem to have had any curiosity to go and see how the Tower stood afterwards?

A. From the answer sent back, I did not conceive there was occasion; that the Tower would be well taken care of.

Q. You did not go to see any attack upon the Tower?

A. No; I had enough to do to take care of my house and the things in it.

Q. The ladies were in the house perhaps?

Q. Yes, they were.

Q. I have no doubt that they took it with as much good humour as you did?

A. I do not know that they did.

Re-examined by Mr. Attorney General.

Q. When you sent for these score of red coats, upon your oath did you think this was good humour, that this was a scene of good humour; your shop being plundered of arms, did you think this was an ebullition of good humour among a parcel of good humoured men?

A. Certainly not; and I have not said I was particularly good humoured myself.

Q. My reason for asking the question is, that this has been represented as a scene of good humour at your house; when you sent for the red-coats, did you suppose that the persons attacking you were making an exhibition of good humour?

A. Certainly not; I conceived that they came to our house for the purpose of procuring arms.

Q. For what purpose?

A. What their intention with them was, I did not know; I conceive if we had procured soldiers from the Tower, that as they had to get over a place of this height, (about three feet,) twenty of them might have kept them out.

Mr. Attorney General. I should not have asked this, but that it was put as a scene of good humour.

Mr. Wetherell. I never put it as a good humoured thing to break open a man's house; but whether he did not take it with good humour.

Lord Ellenborough. I wish there were not these observations between the Counsel.

Mr. Attorney General. I conceived you to go further than that.

Mr. Wetherell. It is a gross misrepresentation of what I said; I never said any such thing, and it is very much like an intended misrepresentation.

Mr. Attorney General. Really, Mr. Wetherell, I will not have that said.

Mr. Wetherell. I have been very rudely attacked; and I will return rudeness with rudeness.

Mr. Attorney General. I understood your question to be put in the way in which I stated; and therefore I asked that question; but I never will receive that accusation of making a gross misrepresentation of what passed, without stating to those who may tell me so, that such a representation is totally without foundation, whether the representation is made for the purpose of attacking me, or whether the representation is made for the purpose of having an effect upon the surrounding multitude, I cannot tell, but no such accusation shall ever be made upon me in a Court of Justice without my repelling it.

Mr. Wetherell. I have been charged with saying that it

was a good humoured thing to break open a man's house; I am in the judgment of every man in the Court whether I did not ask the witness merely whether he did not hear it with as much good humour as he appears to possess now.

Mr. Justice Abbott. (To the Witness.) You added something about a narrow passage?

A. There was a railing outside of the shop, and therefore I thought that a few persons standing without side might have taken those within; or if they were within side, might have kept others out.

Q. I understood you to say that they could not get out of the shop without getting over rails?

A. Yes.

Q. Therefore you say very few persons could have kept them out, or when they were within, have prevented their getting out?

A. Yes, without a doubt.

Lord Ellenborough. When the men broke into your house, and one man got over the fan-light, was it not a subject of very serious alarm to you?

A. No doubt.

Q. Do you mean to represent it now as not having been a subject of very serious alarm, and of very great injury to you?

A. A very serious alarm; and it was a very great inconvenience to me: I was obliged, in consequence, to keep my men on without any thing to support them.

Q. What number of men had you there?

A. Our men were all gone to dinner at the time; there was nobody in the house but Mr. Potts and myself; when some of my men returned, they got in to see whether they could be of any use.

Mr. Justice Abbott. They were all absent?

A. Yes.

Q. That will enable you to fix the time, knowing at what time your servants go to dinner?

A. Some of them go at half-past twelve, and some at one.

Q. Do you think this was after one?

A. It was about a quarter after one, I conceive, or twenty minutes after one.

Mr. Thomas Rea sworn.

Examined by Mr. Attorney General.

Q. I believe you are a gun-smith in the Minories?

A. Yes.

Q. Is your house situate higher up the Minories, towards Houndsditch, or towards Tower Hill, than Messrs. Brander and Potts's?

A. It is nearer Tower Hill than Messrs. Brander and Potts's.

Q. Were you at home on Monday the 2d of December?

A. I was.

Q. At any time between one and two o'clock in the afternoon, did you see any persons in the Minories that induced you to take any steps?

A. I did.

Q. Describe what you saw?

A. First, a person called in the shop and said—

Q. In consequence of what any person said, describe what you did?

A. I saw persons shutting up their shops; and I saw a large mob before Messrs. Brander and Potts's shop. I then, with the assistance of my servant, locked my shop, put up the shutters and bars, and every thing the same as when it is closed at night.

Q. After you had done that, did any thing happen in the house?

A. I went up stairs into the garret, and looked out of the window, and saw a large mob coming to my door; they rushed over, broke the bars from the window, broke the windows, glass and casement, and stripped the shop to a very considerable amount indeed.

Q. Of what did they strip your shop?

A Fowling pieces, muskets, swords, pikes, and every article in short that was in it.

Q. Were those things taken only from the windows by the persons from the street, or did they get into the shop?

A. They got into the shop, and destroyed three desks, and broke the windows of my parlour.

Q. Where do the windows of your parlour look to; into the shop?

A. The windows of my parlour looked into the Circus.

Q. What was taken from your shop?

A. About seventy or eighty fowling pieces; seventy or eighty pair of pistols, of different kinds, pocket and holster; about twenty pikes, and about thirty swords, of different kinds.

Q. Any thing else?

A. Nothing I believe else.

Q. What became of you?

A. As soon as I got into the garret, I immediately got out at the trap door, and went over the leads, and down through the house of a neighbour just by.

Q. Was there any thing in your counting-house?

A. There was some money; there was seven pounds in one counting-house, and thirty shillings and sixpence in another; and there was a quantity of silver for gun-furniture unmade up.

Q. I do not know whether you observed the proceedings of these people afterwards?

A. I went immediately, as I got from the corner line home to my family, who live at a little distance.

Q. You do not live there?

A. I do not lie there; I have my breakfast and dinner there?

Mr. Justice Abbott. Mr. Hall has stated this, that the house is let to Mr. Hevman.

Mr. Attorney General. He has, my Lord:—Did you see any of the proceedings of these people afterwards?

A. No; I went home, and in about half an hour I was informed by one of my servants———

Mr. Serjeant Copley. You left the house immediately?

A. Yes, I did, as soon as they entered the house.

Q. What became of those arms which were taken you do not know?

A. No.

Q. You speak only of the breaking open the house and taking the arms?

A. Yes; I speak to the taking of the arms; but by whom I do not know: I know some of the arms were picked up again; and there was an officer took a gun from a man.

Q. Where were there arms picked up?

A. In the Minories, rather higher than that I saw them.

Q. Arms of every description.

A. Fowling-pieces, pistols, swords, and a three-pounder.

Q. How long was that before you saw it?

A. It was in coming to my shop, about half-past two, I took one from a man.

Q. How soon after the attack?

A. About three quarters of an hour.

Q. You returned to the shop, and found a great number of these scattered about the street.

A. Various of them were.

Q. Had the troops been there at that time?

A. The troops were there before I got back.

Q. Did you see them there?

A. They had come down before I returned to my house.

Q. What became of the people?

A. They stood gaping about the place; a good many of them did.

Q. I do not know whether I understood you right; there was an officer there?

A. There was an officer there took a gun that was stolen from my shop to the Police office; a steel-mounted gun.

Q. Where was that taken?

A. In Alie-street.

Mr. Justice Abbott. Did you see him taken?

A. I saw the gun in his hand, and went to the Police office.

Q. What description of officer was it?

A. A Police-officer.

Q. Did he pick it up?

A. He took the man into his custody who had it.

Q. Were there several other persons there?

A. There were several others there; but he was the only one that had a gun.

Q. Were there other persons there?

A. I cannot tell who belonged to the mob; there were other persons about?

Q. Do you know whether the man who was taken by the officer had picked up the gun?

A. He said he had picked it up; but he is transported.

Q. There was a brass carronade?

A. Yes

Q. That was taken from your shop?

A. Yes.

Q. That was in the open shop?

A. Yes, a three-pounder.

Re-examined by Mr. Attorney-General.

Q. Before you returned to your house, after you had left them, the military came up?

A. Yes.

Q. The mob was dispersed?

A. A great mob was round the house when the soldiers were there, when I went down, and continued all night.

Q. Were the arms thrown away then?

A. Yes, they were.

Q. Somebody had been taken with a gun of yours in his possession; that was taken to the Police-office?

A. Yes.

Q. Did the soldiers remain there long?

A. The soldiers remained there all night and the next day.

Q. There were a good many people about?

A. There were;—the mob continued all night and that day pretty well; the soldiers went away, I believe, on the evening of the next day.

Mr. Serjeant Copley. This is new matter, my Lord, which has come out; you say the soldiers remained there all night?

A. Yes.

Q. And a number of persons remained there that were not soldiers?

A. Yes, a great number.

Q. What were they doing?

A. Walking about and conversing with one another.

Q. And looking on?

A. There was not much to be seen when it was dark!

Q. The soldiers were there?

A. Yes, with their horses.

Q. Was any attack made on your house afterwards?

A. No.

Q. There was no act of violence committed afterwards?

A. No.

Q. Did the persons who remained there conduct themselves peaceably?

A. Yes.

Q. All you mean to say is, that there were soldiers and persons brought by curiosity?

A. There were soldiers came to protect the premises; and there were a number of people walking about and inspecting the premises, and going up the hill and up the Minories:—the soldiers were keeping them as distinct as possible.

Mr. Attorney General. The soldiers were there to protect you?

A. Yes.

Q. Not as the object of attraction?

A. No.

Mr. Justice Bayley. Did you lose any powder and shot?

A. I lost about three hundred weight of small shot, and one pound of powder, which was all I had got in the windows.

Q. Did you lose any bullets?

A. I cannot take upon me to say that I lost any bullets.

Q. Were there any in the way?

A. I always had some in the shop; and there might be a bag with a small parcel in it.

Q. Were any left behind?

A. No; all that were in the shop were taken away.

Q. There was three hundred weight of small shot?

A. Full three hundred weight; it was scattered about in the street.

Mr. John Middleton sworn.

Witness. My Lord, I understand I have been called during my absence; I went to Charing-Cross and was detained a few minutes going into the Exhibition at Spring Gardens. Mr. Hobhouse has been pleased to say, I have been the most unruly witness he has had to do with. I am quite convinced I am undeserving of that character.

Lord Ellenborough. He has not told us that.

Mr. Topping. We will talk about that to-morrow; at present we will proceed with the evidence.

Examined by Mr. Topping.

Q. Where do you live?

A. In Skinner-street.

Q. Skinner-street, Snow-hill?

A. Yes.

Q. Did you live there on the 2d of December last?

A. I did.

Q. What distance is Mr. Beckwith's house and shop from yours?

A. I should suppose about a hundred yards; about ten or twelve houses between them on the opposite side of the way.

Q. Were you at home about the noon of that day?

A. I was.

Q. At your own house?

A. I was.

Q. Did you see or hear any thing done at the premises of Mr. Beckwith?

A. I saw a number of persons pass our house, who went to Mr. Beckwith's.

Q. When you say numbers, what do you suppose the numbers were?

A. I should suppose there must be two or three hundred altogether; but a very considerable number of them were

women and children, who took no part except following; perhaps eighty or a hundred who appeared to be the mob.

Q. They passed your house?

A. They did.

Q. Did they go down to Mr. Beckwith's?

A. They did so.

Q. Did you see, amongst that mob, any of the persons you see now in Court?

A. I saw John Hooper; he is the only one I recollect.

Q. Did you observe any thing particular about Hooper?

A. He wore a cockade in his hat.

Q. Can you describe to us what that cockade was?

A. A cockade of narrow ribbon, of two or three colours.

Q. Was there a flag carried by any person in that mob?

A. There was.

Q. What kind of flag was that?

A. It was a flag also of three colors, with an inscription in gold letters upon it.

Q. Does that appear to you to be the flag? (*showing it to the witness.*)

A. I have no doubt it is; it was similar to that.

Q. In what part of the mob did you see Hooper?

A. I should perhaps explain, that the mob passed our house, towards Mr. Beckwith's, and staid there some time; myself and my partner went up into the balcony of the drawing-room, and watched the mob taking arms, as I suppose. I heard one or two shots fired; the mob came back and stood just opposite our house.

Q. Your house is nearer Newgate-street?

A. Yes; opposite St. Sepulchre's church.

Q. When they returned before Mr. Beckwith's, as you understood, demanding arms, you had changed your situation and gone up stairs?

A. Yes.

Q. Had you an opportunity of seeing the mob again?

A. Yes; they stationed themselves for three or four minutes exactly opposite to our house, and seemed to be consulting.

Q. Did you see Hooper in the mob that halted before your house, and appeared to you to be consulting?

A. Hooper either carried a stick or a sword. I believe a stick; but I am not positive which, and appeared to me to have the direction of the mob.

Q. Why do you say that he appeared to you to have the direction of the mob?

A. Because he waved his stick several times. He went to Mr. Beckwith's house, and during the time of their conversation, there was a great shout at Mr. Beckwith's house.

Q. A shout from the mob?

A. Yes, from the persons in front of Mr. Beckwith's house; those who were consulting before our premises returned to Beckwith's.

Q. That shout having been made by the persons opposite Beckwith's house, the mob who appeared to you to be consulting returned to Beckwith's?

A. Yes, they returned to Beckwith's; demolished the windows, and handed out a considerable quantity of arms.

Q. This man waved his stick in the direction of Beckwith's house before the mob returned thither?

A. Yes; he did. I also feel pretty certain that he took the flag in his hand during the time of consultation.

Lord Ellenborough. How did he move the stick?

A. He moved the stick in different directions, as if pointing out to the mob; when a shout was made by the mob, he pointed to Beckwith's house, and went with the mob.

Lord Ellenborough. Where did he go with the mob?

A. Towards Beckwith's house.

Mr. Topping. The mob that was before your house in a state of consultation, as it appeared to you, returned and joined the mob that were there?

A. Yes; before they could have reached the front of Beckwith's shop, I heard the windows broken. I have no doubt they joined those who were there, and they remained there a few minutes.

Q. Whilst the mob were opposite your house, you have told us there was a flag there?

A. Yes.

Q. Do you recollect whether Hooper did any thing with that flag?

A. I think he took it for a minute; but I cannot be quite decided on that subject. He was talking to the person who had the flag.

Q. After the windows of Mr. Beckwith's house had been broken and the guns taken away, did the mob pass your house again?

A. They did.

Q. Your house is nearer Newgate-street than Mr. Beckwith's?

A. Our house is three doors from Newgate-street; Mr. Beckwith's is much lower down.

Q. Did the mob pass your house, and go along Newgate-street?

A. They did; charging and firing their pieces in a very disorderly manner.

Q. Charging and firing their pieces as they went along?

A. Yes; so much so, that we considered it prudent to get away from the balcony.

Q. You considered it prudent from a regard to your safety to get within doors?

A. Yes.

Q. Did you see the flag pass the door?

A. I did. I remarked to my partner, that I thought it was a duty———

Mr. Wetherell. I must object to that.

Mr Topping. I do not wish to hear it. Did you observe Hooper pass your door with the mob?

A. I did so.

Cross-examined by Mr. Wetherell.

Q. I think you said you saw Hooper point with a stick?

A. Yes.

Q. Had there been a shout before that from the mob?

A. Hooper turned towards Mr. Beckwith's house, and they held a consultation in the large open space between our house and the church, and there was a shout; and they then returned to Mr. Beckwith's house.

Q. There had been a shout at Mr. Beckwith's house before Hooper returned?

A. Yes.

Q. Did you hear a crash at Beckwith's house before Hooper returned?

A. There was one piece fired during the time of their being at Mr. Beckwith's house, in Mr. Beckwith's house, and then there was a shout from some people, I believe in the house, and from some on the outside.

Q. Had you heard the crash at Mr. Beckwith's house before Hooper got back?

A. I think they must have begun to demolish the windows before he got back.

Q. The demolition of the windows made a noise?

A. A great noise.

Q. Did you see them go back to Mr. Beckwith's house?

A. I did not trace them all the way back.

Q. Was there time enough for Hooper to have got back?

A. Perhaps not before the commencement of it.

Q. Then the noise of the crash occurred before he got back?

A. I think probably so.

Q. You have said you feel pretty certain you saw Hooper with a flag?

A. I feel pretty certain that he did take it; but I cannot swear that positively.

Lord Ellenborough. You have no doubt about his person; about his being there?

A Not the least.

Mr. Wetherell. You were examined at the Old Bailey?

A. I was.

Q. On the trial of Cashman and Hooper?

A. There were three or four in one indictment; Hooper was one, I think.

Q. Did you give this evidence against Hooper?

A. I think if you compare it, you will find it is very much the same; I have never compared it, nor thought much of it since.

Q. Were you examined at Hicks's Hall?

A. No; I was not examined at Hicks's Hall.

Mr. Attorney General. My Lord, in these cases where there are so many witnesses, some will be going away: I find a gentleman is now in attendance who was intended to have been called as to another part of the transaction which we have gone into; perhaps it would be with as little interruption that we should take his evidence now as at any time.

Mr. Edward White, sworn.

Examined by Mr. Attorney General.

Q. Were you at the Royal Exchange, or near it, on the 2d of December?

A. I was in the private parlour at the Mansion House when the account was brought to the Lord Mayor; that the rioters were coming down Aldersgate-street into the City.

Q. In consequence of that, did you go to the Royal Exchange?

A. Not immediately; I accompanied the Lord Mayor and Sir James Shaw first of all, with the intention to meet them in their way from Skinner-street.

Q. Where did you first see the mob?

A. When we got to Lad-lane, we met an officer who told us the mob were gone towards the Mansion House; upon which we did not walk, but ran back with the hope of getting to the Mansion House before they reached it.

Q. Where did you first see the mob?

A. Coming down Princes-street, next to the Bank, making our way to the Mansion House; the mob was then passing Princes-street.

Q. Were there a good many persons?

A. A great many; the head of the mob had passed before we reached the end of the street.

Q. On which side of the Exchange did the mob go first?

A. The mob in general appeared to me as if they were passing the Royal Exchange towards Threadneedle-street; but on a sudden they made a turn, and went through Sweeting's-alley towards the Bank.

Q. They must have passed the Royal Exchange then before they turned?

A. Yes.

Q. Then they went towards Threadneedle-street?

A. Yes.

Q. Cornhill is on the south side of the Exchange?

A. It is.

Q. What did the mob do when you saw them there?

A. I made my way as soon as I saw they were taking a different direction through the body of the Exchange; and immediately, on the Lord Mayor and Sir James Shaw reaching that part, we rushed forward and seized the flag, and the person who bore it, and proceeded to take it towards the Royal Exchange for security.

Q. Were the mob carrying a flag?

A. Certainly; it was seized in the middle of them.

Q. When the flag was seized, what became of them then?

A. I cannot say that my observation extended farther after that; for I was principally engaged in securing the person who carried the flag, and the flag itself. I was anxious to get it into the Royal Exchange, lest a rescue should be attempted.

Q. Was there any person in the mob whose person you knew?

A. Not one whom I knew at that time, I have seen a person since that was in the mob.

Q. Did you see any person taken?

A. Yes, certainly, the person who carried the flag I assisted in taking.

Q. Did you see any other person taken?

A. I did not.

Q. Did you observe whether any body had any arms?

A. Certainly; I wrenched a double-barrelled gun from one person myself, and attempted to strike him with it but he moved his head and got out of the way of it.

Q. Did you see whether any other persons had arms?

A. Yes, there appeared to be a good many arms amongst them.

Q. Of what sort?

A. They were principally fowling-pieces, I did not observe any musquets, there were two or three pieces fired at the same time that I seized the man.

Q. Did you see who fired them?

A. No, I did not.

Q. Were there any other pieces fired that you recollect.

A. There was while I endeavoured to shut the Exchange gates, and the Lord Mayor had his foot on the bolt, there was something fired between our legs, that was while we

had got it shut and were fastening it, they put the mantle underneath the gates, and the contents whatever they were, which I do not know, passed between our legs.

Q. Did you see any person secured?

A. No, I did not; I then, on its being thought necessary to call the military, volunteered to go and fetch them.

Q. You volunteered to go for the military?

A. Yes, there was no person in the Royal Exchange but a marshalman, whose dress, I thought would mark him out to the mob, as a city officer, and therefore I volunteered to go and fetch them.

Q. Did you go and fetch the military?

A. I did go.

Q. Did you see any thing more of the rioters after they left the Royal Exchange?

A. I did not, when I returned with the light horse, there appeared to be no violence, there was then a great degree of quietness prevailed.

Cross-examined by Mr. Serjeant Copley.

Q. Where did you find the military?

A. In Gray's-inn-lane.

Q. In what part of Gray's-inn-lane?

A. The light horse volunteers' stables.

Q. What number did you find there?

A. I think fifty of the seventeenth lancers, I cannot speak to the exact number, but I believe that was the number.

Q. Was there any artillery there?

A. I did not see any.

Q. You did not look?

A. I did not.

Q. Your object was only to deliver the message and come away?

A. My object was to bring them, and that was an object of some difficulty having no credentials, there was a gen-

tleman who knew me and that was the only thing that effected it.

Q. Who suggested going to the light-horse stables?

A. The Lord Mayor, but he did not tell me they would be there, but that Lord Sidmouth had informed the Lord Mayor they would be in Worship-street.

Q. You did not find them there?

A. No; I then hired a horse and galloped away to Gray's-inn-lane.

Q. You met the mob at the north end of Sweeting's-alley?

A. Yes.

Q. There were only the Lord Mayor, Sir James Shaw, and you, and two or three others, all unarmed?

A. Yes.

Q. You made an attack on the man having the flag?

A. Yes, as being the most prominent.

Q. Was there any resistance?

A. There was an attempt made by one man who was seized by the collar, he said he would not be taken; that was the man who had the double barrelled gun, I seized that and attempted to strike him with it.

Q. There was no resistance except the man whose collar you seized?

A. No.

Q. There was no resistance on the part of the man who had the flag?

A. Only begging he might be permitted to go saying he had had it only a few minutes in his hand.

Q. Was there any general attack upon you by the mob?

A. Certainly not, I believe they had not time, it was done in a moment.

Q. You left the Lord Mayor and Sir James Shaw in the Exchange?

A. Yes.

Q. When you came out did you find the people there, or were they to a considerable degree dispersed.

A. No, they were not dispersed.

Q Where were they at that time?

A. I saw them pretty nearly in the same situation, I went out at the south door of the Exchange, and passed down Finch-lane, in order to avoid being noticed particularly by them, and when I came into Threadneedle-street, I perceived a body of them there.

Q. What were they doing then?

A. They appeared to me to be moving about there with a man on horseback riding, and I took a few steps to ascertain whether he was the leader, and if he was I should have taken him off; but I thought it was better upon the whole to go on for the military.

Q. When you returned with the military did you find any mob?

A. There were a great many people there, but it was perfectly quiet.

Q. There was no mob then?

A. Nothing like what it was when I went away.

Q. Did you ride with the military or behind them?

A. I rode at the head of the military with the officer.

Q. Had you any means of ascertaining whether this man on the horse was connected with the mob?

A. I cannot say that, he seemed to be twisting his horse about.

Q. Whether he was requesting them to disperse you do not know?

A. There seemed to be no appearance of his requesting them to disperse.

Lord Ellenborough. There appeared to be no appearance of his attempting to disperse the mob or you would not have thought of seizing him?

A. Certainly not.

Mr. Justice Abbott. You and the Lord Mayor, on consulting on the spot, thought it expedient to call in the military?

A. My Lord Mayor was good enough to ask me whether I did not think that it was expedient to call in the military, and I said blood having been drawn, and fire arms used, I thought it was time to call in the military.

Mr. John Hodgetts sworn.

Examined by Mr. Topping.

Q. Were you in the Royal Exchange on the second of December?

A. I was.

Q. What time of the day was it when you were there?

A. I think about one o'clock.

Q. Was there any mob of people there at that time?

A. Yes there was on the north side where I was.

Q. Of what number do you think that mob consisted?

A. It was a separation from the main body, I suppose there might be about an hundred or an hundred and fifty at that particular part.

Q. Was there a larger body elsewhere?

A. I had seen a larger body previously before the Mansion-house.

Q. Were there any guns firing at that time?

A. There were guns and pistols.

Q. Were those guns and pistols fired by the mob.

A. It appeared to me to be so, and I retreated from that part of the mob in consequence.

Q. You retreated from that part of the mob that had been near?

A. Yes.

Q. Did you see any of the persons now in the court among that mob.

A. I saw the middle man.

Q. What is his name?

A. I understood at the Old Bailey it was Hooper.

Q. You took him into custody?

A. I saw him very active in the mob, and I seized him by the collar, and took him into the Royal Exchange; the Lord Mayor was the next person I saw.

Q. Seeing him active in the mob, you collared him, and took him within the Exchange?

A. Yes, I did.

Q. Was the Lord Mayor within the Exchange?

A. He followed me immediately.

Q. Having taken him into the Exchange, did you search his person?

A. Not immediately.

Q. You did search his person?

A. I did in about five minutes; I saw the butt-ends of two pistols under his coat, which I took from him.

Q. You observed a brace of pistols where—between his shirt and his waistcoat?

A. No, between his coat and his waistcoat; I had hold of him here, his coat was buttoned.

Q. Did you take them from him?

A. Yes.

Q. What kind of pistols were they; have you got them with you.

A. I gave them into the office at my Lord Mayor's; they appeared to be what we call horse pistols.

Q. Did you deliver them to a person called Richard Stephens?

A. I do not know the man's name; I know his person.

Richard Stephens was called into Court.

Q. Is that the person to whom you delivered the pistols?

A. No; it is not.

Daniel Cartwright was called into Court.

Q. Is that the person to whom you delivered the pistols?

A. It is.

Q. Before you delivered them to him, had you ascertained whether either or both of them were loaded?

A. I ascertained that one was loaded with ball by drawing the wadding, when I struck it on the ground, the ball came out, and I put it in again.

Q. You delivered the two to Cartwright?

A. I afterwards delivered them to this man.

Daniel Cartwright, sworn.
Examined by Mr. Topping.

Q. Did you receive a brace of pistols from the witness, Mr. Hodgetts?

A. I did

Q. Have you those pistols, or did you deliver them to some other person?

A. I have not the pistols; I delivered them to Stephens?

Q. The pistols delivered to you by Hodgetts you delivered to Stephens?

A. Yes; after drawing one of them.

Q. Before you delivered them to him, had you ascertained whether either of them were loaded?

A. One.

Q. In what way did you ascertain that one was loaded?

A. I looked to see whether it was primed; I wiped the priming out.

Q. As matter of caution you wiped the priming out?

A. Yes; and then I knocked it on the stones of the Royal Exchange, and then these three slugs came out. *(producing them.)*

A. Those three slugs were in one of the pistols delivered to you by Mr. Hodgetts?

A. Yes.

Mr. Justice Bayley (to Mr. Hodgetts.) Was that you drew loaded with ball, or slugs?

A. With ball.

Mr. Justice Abbott. Did you put back the bullet into the pistol?

A. Yes, I did.

Q. And the wadding?

A. No; I rammed it down merely to deliver it up to the Lord Mayor.

Richard Stephens, sworn.

Examined by Mr. Topping.

Q. Did you receive that brace of pistols from the witness beside you, Mr. Daniel Cartwright?

A. I did.

Q. That is what you call a horse pistol; is it not?

A. Yes.

Mr. John Hodgetts, cross-examined by Mr. Wetherell.

Q. When you took Hooper, you did not see the pistols, but afterwards found them inside his coat?

A. Yes.

Q. He made no attempt to draw out either of his pistols against you?

A. No.

Q. Did he surrender himself to you immediately?

A. Yes; he said "let me go," when I got into the Royal Exchange.

Q. He made no resistance.

A. No.

Q. He offered you no violence?

A. None.

Q. You led him withinside the Royal Exchange?

A. Yes; and he then asked me to let him go, saying he should not run away.

Q. Having said he would not run away, what did you do with him in the Royal Exchange?

A. I held him four or five minutes, till an officer came; I believe this was the man; there was confusion; gentlemen were running about, and trying to shut the doors.

Q. Were you obliged to keep your hand upon his collar, or did he stand near you?

A. I stood in this direction, till the door was shut.

Q. You have stated to me that you saw one mob of about an hundred; and that the larger mob were towards the Mansion House?

A. Yes.

Q. And that they were firing guns and pistols?

A. Yes.

Q. Do you mean firing them into the air?

A. I heard the report; I saw some of the flashes in the air, most assuredly.

Q. From what you saw were the pistols pointed to go into the air?

A. I saw some guns which were; I cannot say as to pistols.

Q. Did you see any gun levelled at any body?

A. No.

Q. You saw then only guns fired into the air?

A. Yes; I retreated, certainly.

Q. You retreated in consequence of seeing the mob, and that there were these guns and pistols?

A. Yes; intending to avoid them

Q. You did not retreat in consequence of seeing a gun or pistol levelled at any body?

A. No; certainly not.

Q. Did you attend at the Mansion House when Hooper was taken to the Mansion House?

A. No; I attended at the Mansion House some days afterwards.

Q. Do you know, in point of fact, whether Hooper was dismissed at the Mansion House?

A. No.

Q. Did you give evidence as to Hooper at the Mansion House?

A. Yes; I identified him there, and also at the Old Bailey.

Q. Did you state against Hooper then the evidence you have given here?

A. As nearly as I can recollect.

Q. Were you examined at Hicks's Hall?

A. No.

Mr. John Heyward, sworn.

Examined by Mr. Solicitor General.

Q. Do you recollect seeing a mob on the 2d of December last?

A. Yes.

Q. Where did you first see them?

A. Coming up Newgate-street.

Q. Were you coming up Newgate-street?

A. No; I was going along Newgate-street from the Bank.

Q. Which way were the mob going?

A. Towards the Bank.

Q. Did you afterwards follow them to the Minories?

A. Yes.

Q. Were you present in the Minories at the time the gunsmiths' shops were attacked and broken open?

A. I was.

Q. Whereabout were you at the time the shops were attacked?

A. At some distance from the mob.

Q. Where were you?

A. On Tower Hill.

Q. One of the gunsmith's shops we understand is very close to Tower Hill?

A. Yes.

Q. You observed them breaking open the gunsmiths' shops?

A. Yes.

Q. Did you observe any person coming from them towards Tower Hill?

A. I did.

Q. Had that person any arms with him?

A. He had a sword or a cutlas.

Q. Do you know who that man was?

A. I have a recollection of him.

Q. From your recollection of him, whom do you believe him to be?

A. The man in the blue jacket. (*Thistlewood*)

Q. This man nearest the warder?

A. Yes.

Q. Was he in the same dress that he is now?

A. No.

Q. How was he then dressed?

A. He had a great coat on, and top boots.

Q. You say you saw this man come from the mob; where did he go?

A. He came towards the Tower—towards the railing which surrounds the Tower.

Q. That is the railing next the Tower?

A. Yes.

Q. What did he do when he got there?

A. He put his foot upon the railing, and flourished his sword to the Tower, and said something to the soldiers.

Q. Whereabout were the soldiers?

A. They were on the ramparts.

Q. What was it he said to them?

A. I cannot recollect the exact words.

Q. As nearly as you can recollect, what was it he said?

A. He offered to make the privates captains, and to double their pay, in case they would come and join them.

Q. Did you hear any more?

A. No.

Q. That was what you heard?

A. Yes.

Q. How long did he remain there?

A. For a short time.

Q. What was the occasion of his going?

A. From what I could see from the bustle coming up the Minories; the troops were coming.

Q. What did he do upon that?

A. He put his hanger or cutlas, or whatever it was he had in his hand, under his coat, and went away.

Q. He put it under his coat to conceal it?

A. Yes.

Q. Which way did he go?

A. He went towards Mark Lane; that way.

Q. Away from the Minories?

A. Yes.

Q. Away from where the soldiers were coming?

A. Yes.

Q. Had you seen that man before in the mob?

A. No.

Cross-examined by Mr. Serjeant Copley.

Q. What are you?

A. A stock-jobber.

Q. Were not you once connected with the Courier Newspaper?

A. Yes; I was at one time the publisher of it.

Q. How long is it since you had any thing to do with the Courier newspaper?

A. Two or three years I should think.

Q. Do you mean to swear you have not had any thing to do with it for these three years past?

A. I will not swear to the exact date; I am sure I have not had these two years.

Q. You had a brother, I think; had not you?

A. Yes.

Q. What has he to do with the Courier newspaper?

A. I had one; I have not now.

Mr. Solicitor General. What can this have to do with the matter?

Lord Ellenborough. It may be conducing to something; standing merely by itself, it has nothing at all to do with it: but it may be made to bear.

Mr. Serjeant Copley. He has no brother now; I will not follow that. What carried you to Tower Hill?

A. Looking after the proceedings of the mob.

Q. Did any person send you?

A. No.

Q. You went of your own accord?

A. Yes.

Q. What induced you to go and look after the proceedings of the mob?

A. More from curiosity than any thing else.

Q. Where did you first see them?

A. Coming up Newgate-street.

Q. You followed them all the way from Newgate-street?

A. No; I ran very fast to the Bank, and informed them that the mob were coming.

Q. Whom did you tell?

A. I think Mr. Dawes.

Q. When did you first tell this story you have been telling to day?

A. I dare say the same night or the same day.

Q. To whom did you repeat it, will you tell us one of them?

A. Yes; I mentioned it to a Mr. Bent the moment I got home.

Q. Who is Mr. Bent?

A. He lives at Stangate, just across the water.

Q. You say you believe you mentioned it to him, will you swear you mentioned it to him that night?

A. Yes.

Q. All you have now told us?

A. Yes.

Q. Where were you standing when this took place?

A. On Tower-hill, against the railing, in front of the ditch.

Q. This was the speech that was addressed across the ditch was it?

A. Yes.

Q. Who was near this man at the time?

A. There were two or three came from the mob at some distance, I do not think there was any body close to him.

Q. But he by himself went up to the railing and addressed the soldiers in this way?

A. Yes.

Q. That the privates should be made captains?

A. Yes.

Q. Who was there beside yourself?

A. No one with me that I knew, there were others standing round?

Q. There was no mob there at the time?

A. No.

Q. Where were the mob at that time?

A. At the gunsmiths' on the hill.

Q. Did you go to the Lord Mayor and mention this?

A. No.

Q. Did you mention it to any magistrate?

A. No.

Q. Did you go to Mr. Litchfield and mention it?

A. No; I was sent for by Mr. Litchfield.

Q. When did he send for you?

A. Last Tuesday week, I think, I had the notice.

Q. Last Tuesday week was the first time you were sent for?

A. Yes; I had a note from Mr. Litchfield with a subpoena.

Q. You followed the mob from curiosity for the purpose of knowing what their proceedings were, and you went to the Bank and saw Mr. Dawes?

A. Yes.

Q. After hearing this speech, you never went to any magistrate nor to the Lord Mayor?

A. No.

Q. Nor to the solicitor for the treasury?

A. No.

Q. But you mentioned it in casual conversation?

A. Yes, in casual conversation.

Q. Is there any person here to whom you ever mentioned it, have you seen any person in attendance to whom you ever mentioned it?

A. No.

Q. Had you ever seen that man before?

A. No.

Q. Have you ever seen him since?

A. Yes.

Q. When?

A. On Saturday week.

Q. Where did you see him?

A. In the Tower.

Q. How long was that after you had seen Mr. Litchfield?

A. I had not seen Mr. Litchfield.

Q. How came they to find you out so as to send to you?

A. I imagine through persons hearing me say so, that it got to the ears of the solicitor, I can form no other conclusion.

Q. You went a week ago to the Tower, when you went to the Tower, did they not tell you you would see the man there?

A. They told me I should see a man of the name of Thistlewood.

Q. Did they tell you you would see the man there that did this?

A. No.

Q. But the person that they suspected to be the man?

A. Yes.

Q. Thistlewood, when you saw him, was pointed out to you as being by himself?

A. Yes, he was in the room, the warder was with him or somebody.

Q. You knew which was the warder of course?

A. Yes.

Q. You were aware of the person you came to see?

A. I knew him when I came into the room.

Q. There was only that man?

A. There was only he and the warder.

Q. Did they not tell you you should see that man?

A. They told me there was Thistlewood there, and I should go and see him.

Q. What was the reason you never went to the Lord Mayor and mentioned this, as you took the pains to go to the Bank and inform Mr. Dawes, why did you not go to the Lord Mayor?

A. I should never have troubled my head about it, if I had not been summoned, I mentioned in private company, as a thing very extraordinary, what I had seen there.

Q. Did not you know that public examinations were going on, and had been going on for a very considerable time with respect to these proceedings?

A. Yes.

Q. That Mr. Litchfield was trying to get information in every quarter?

A. I did not know that Mr. Litchfield was trying to get information till I received the note from him.

Q. Did not you know that the Lord Mayor was sitting day after day, shortly after this circumstance happened, for the purpose of obtaining information as to all the proceedings which took place on that day?

A. Yes.

Q. And although you had traced this mob all the way from Newgate-street to the Tower, and had heard this at the Tower, you never went to the Lord Mayor to communicate this which you had seen?

A. No.

Q. And there is no person in attendance to whom you ever communicated this?

A. Not to my knowledge.

Q. It struck you as something very extraordinary at the time?

A. Yes.

Q. It struck you as very singular that a single man, with a sword in his hand, should be haranguing the fortress?

A. It did.

Q. And those enquiries going on, and you knowing those enquiries, never went near the Lord Mayor to give him information upon the subject?

A. No, I never did.

Q. Give me the precise address of Mr. Bent?

A. Mr. Bent, at the Mitre, Stangate, Lambeth.

Q. Now do not let me misunderstand you, you say now, upon your oath, to say that you communicated it to Mr. Bent, the very night that it happened?

A. Yes, I did.

Re-examined by Mr. Solicitor General.

Q. At what distance were the mob at the time the man said this?

A. They were at the shop, I think it is Mr. Rea's.

Q. That is no great distance?

A. No.

Mr. Justice Bayley. Were the mob in sight?

A. Yes, they were.

Mr. Gurney. Mr. Rea's house has been stated to be three doors from Tower Hill.

Mr. Serjeant Copley. You say the mob, at that time, were at Mr. Rea's, that is in the Minories, is it not?

A. On Tower Hill.

Q. Is it not in the Minories?

A. Where I stood on Tower Hill it lies to the left.

Q. Is it not in the Minories?

A. You may call it either the Minories or Tower Hill.

Mr. Justice Abbott. Brother Copley you will find it was a corner house.

Mr. Serjeant Copley. I understand it is not the corner-house.

Mr. Justice Abbott. Mr. Hall said it was.

A Juryman. I understand it my lord to be the corner of a small street.

Mr. Gurney. Not the corner of Tower Hill but the corner of a narrow street, Mr. Hall said it was three doors from Tower-hill, and that the mob were partly on Tower-hill, and partly in the Minories.

Mr. Justice Bayley. You are right, I have it so exactly I see.

Thomas Edmonds sworn.

Examined by Mr. Gurney.

Q. Are you a private in the Coldstream Regiment of guards?

A. Yes.

Q. On Monday, the second of December, were you on duty in the Tower?

A. Yes.

Q. Did you hear any alarm on the approach of the mob?

A. Yes.

Q. Upon that did you look towards the Minories?

A. I was ordered on the parade.

Q. Before you went to the parade did you look towards the Minories?

A. Yes.

Q. Did you observe any person come to the rails at the edge of the Tower ditch.

A. Yes; towards the rails.

Q. Did that person address any thing to you and the other soldiers in the Tower?

A. Yes.

Q. What did he say to you?

A. He called out "Soldiers open the gates we will give you an hundred guineas."

Q. At that moment did you receive orders to go where?

A. Yes, on the parade.

Q. And you quitted?

A. Yes.

Q. And you heard no more of it?

A. No, I did not.

Cross-examined by Mr. Wetherell.

Q. What part of the Tower were you on, were you standing upon the wall or the parapet of the Tower?

A. On the ramparts.

Q. Were you going along that part of the rampart that faces the Minories?

A. Yes.

Q. There is a bastion of the Tower that enfilades the Minories?

A. Yes, this is about half way along; it is between the two great batteries.

Q. One bastion looks up the Minories.

A. Yes.

Q. And one looks towards Tower-hill?

A. Yes.

Q. You were walking here when somebody addressed you?

A. Not me particularly, he called "Soldiers."

Q. How many were there?

A. There was me there, and another man further on.

Q. How many yards wide was the space?

A. I dare say fifty.

Q. How many feet of water?

A. I do not know.

Q. How many yards high are the walls of the parapet of the Tower?

A. I suppose four feet.

Q. How far is the height of the wall from the water?

A. I cannot say.

Q. Fifty yards?

A. I dare say it is.

Q. Across this broad ditch, to you walking on this parapet, between thsee two bastions this speech was made?

A. I was inside.

Q. Where did the man stand who made this speech?

A. About the middle of Tower-hill, down by the railing.

Q. There are some trees there, are there not?

A. No: there were no trees where he was standing.

Q. A hundred guineas?

A. Yes.

Q. Did he say any thing further to you?

A. He did not speak particularly to me, but he called out "Soldiers."

Q. To you and your comrade?

A. My comrade was not with me, he was further on; we were both going to the parade.

Q. How much of your head and shoulders can be seen above the parapet?

A. About a foot and a half.

Q. Could they see you unless you were standing in the embrazures?

A. Yes, they can see any body walking along between the batteries.

Q. Are you quite sure that when any person was walking along there they could see, except at the embrazures?

A. I am sure they could see me.

Q. I dare say you give a very fair account, soldier; but do you mean to say that any person could see you?

A. Yes, we could see over the wall.

Q. You must get up over the rampart, or something of that kind for them to see you?

A. Yes, that is the way they generally walk behind the Tower.

Q. How much of you would be seen above the wall?

A. I suppose a foot and a half.

Q. The top of your belt might be seen then I suppose?

A. I suppose it might.

Q. Was the other soldier with you in such a situation that he could be seen?

A. He was not with me, he was on before me, I cannot say exactly where he was.

Q. When this man was making this speech to you did you stop?

A. I went on as fast as I could to the parade.

Q. You gave no heed to it?

A. No; I went on as fast as I could.

Q. And your comrade too?

A. Yes.

Q. You did not stop to hear this nonsense whatever it was?

A. No.

Q. Where did you go when you had heard about this hundred guineas?

A. On the parade, where I was ordered before that.

Q. Was there any conversation about it?

A. I made mention of that which I had heard, not to any one in particular, but to all that were standing about.

Q. Was that all that he said to you?

A. That was all that I heard.

Q. Were there several people about him, or was he standing alone?

A. There might be twenty or thirty running all ways on Tower-hill.

Q. Passing backwards and forwards?

A. Yes.

Q. Did he come down close to the rails?

A. Yes; he was close to the rails at the time I heard him speak.

Q. How long might he be standing and making this harangue?

A. I cannot say for I did not stop to hear, I was going on to the parade.

Q. Do you recollect any person coming down to the Tower to ask for military assistance to go up towards the Minories?

A. No, I do not.

Lord Ellenborough. I wish to put another question to Heyward.

Mr. John Heyward called in again.

Lord Ellenborough. When did you mention this to Mr. Bent:—on the same day?

A. I did.

Q. Was there any other person, whose name you can state, to whom you mentioned this recently after that time?

A. There were several in the room with Mr Bent; but I cannot recollect their names at the time I mentioned it.

Q. Mr. Bent will probably recollect who his company were; where was it?

A. It was at the sign of the Mitre, at Stangate; there were several in the parlour when I came back.

Q. Do you recollect any body else to whom you have mentioned it since that time?

A. I have mentioned it to so many, that I cannot say indeed.

Q. You are sure you have mentioned it?

A. Yes; Mr. Ensor, of the Bank of England, I recollect I have mentioned it to; he is in the Cheque Office, in the Bank of England.

Q. Any other?

A. No, I do not recollect any other at this moment.

Thomas Darlington sworn.

Examined by Mr. Gurney.

Q. Are you a private of the 2d Coldstream?

A. Yes.

Q. Were you on the ramparts of the Tower on the 2d of December last?

A. Yes.

Q. Did you hear the alarm of the mob coming?

A. Yes.

Q. Did you look towards the Minories?

A. Yes.

Q. Did you see any man near the edge of the ditch?

A. Yes.

Q. What had he in his hand?

A. A sword.

Q. Drawn or undrawn?

A. Drawn.

Q. Where was he standing?

A. The first time I saw him he was walking towards the Tower, he stopped against the rails.

Q. What did he say?

A. He said, "Open the gates, Soldiers, and let us in: and every man shall have a hundred guineas bounty, and double pay."

Q. What more did you hear him say?

A. That he did not take the soldiers to be his enemies, but his friends; that they had been fighting for the rights of their country and could not have them.

Mr. Justice Abbott. Did he say they had been fighting for the rights of their country, or, that who had?

A. They.

Mr. Gurney. Do you mean the soldiers or he?

A. The soldiers.

Q. He said you, I suppose?

A. Yes; that the soldiers had been fighting for the rights of their country, but could not have them.

Q. Were you under orders to go to the parade?

A. Yes.

Q. Were you proceeding to go to the parade?

A. I was going to my room for my things to go down to the parade.

Q. And you heard no more?

A. No; I heard no more.

Cross-examined by Mr. Serjeant Copley.

Q. Where was Heyward at that time? you know Heyward?

A. I do not know Heyward.

Q. Where was Edmonds?

A. He was not along with me.

Q. Do you know where he was?

A. I do not.

Q. Who was on the ramparts with you?

A. I cannot say; I was in a hurry to go to my duty, and did not notice.

Q. Who was with you?

A. There was a sentry; but I do not know who it was.

Q. Do you know whether Edmonds was the sentry or not?

A. I do not; the sentry was on his post; but I did not take notice who he was. I had to run past several sentries to get to my own place to get my sword, but I did not notice any one of them.

Q. When had you been sent into the Tower?

A. I never stood sentry in the Tower in my life.

Q. When had you been sent into the Tower?

A. On the 25th of February we went into the Tower.

Q. This was the 2d of December; how long had you been in the Tower?

A. From the 25th of February to that time.

Q. The 25th of February before that?

A. Yes.

Q. You say you were going to the parade?

A. I was going to dress myself to go to the parade?

Q. Did you go to the parade?

A. Yes.

Q. Who was the officer on the parade?

A. Captain Bentinck was the Adjutant on the parade; I do not know that he commanded. The whole of the officers were called to the parade as well as the men.

Q. Had any regiment come into the Tower the day before?

A. Not that I know of.

Q. Was there any more force in the Tower than was usual?

A. Not that I know of.

Q. I take for granted you communicated this immediately to your officer?

A. I made mention of this on the parade to the non-commissioned officers, and it was mentioned to the serjeant-major, and I was brought to the Justice about it. The serjeant-major sent for us in consequence of its being reported.

Q. You did not stand to hear this conversation?

A. No; after I had heard what the man said, I hurried on to my duty.

Q. Who the man was, yon do not know?

A. No; the distance was so great I do not know who the man was.

Q. Was he by himself?

A. No; there was a mob of boys round about the man when he was speaking at the ditch.

Q. Can you tell us about what number there were?

A. No, I cannot.

Were there thirty or forty?
I dare say there might be; I cannot say.
There were enough to amount to what you call a mob?
I do not know what a mob is; there might be a mob
rs about that number.
Just now you said there was a mob of boys?
I will tell the truth as far as I can.
Was there or was there not a mob of boys round at
me he was addressing you?
There might be about thirty or forty boys about him.
Are you quite sure of that fact of there being thirty
ty boys about him at the time when he addressed you?
There were boys about him, and I dare say there
t be that number; but I did not count them.
In your judgment there might be that number?
Yes.
Did you see any body else?
No.
Any body with arms?
No.
Did you see any appearance of any person, except
boys?
No; I had not time to look for none.
And you saw none?
No.
rd Ellenborough. The Court will not be able to pro-
any further this evening. The business of the Term
g been to a degree suspended by this trial; one of
rothers must be at Chambers this evening, and will
Court at eight o'clock to-morrow morning to hear
ns, previously to the trial proceeding.
Juryman. My Lord, may I speak to any of my ser-
in the hearing of an officer? I mean on business.
rd Ellenborough. Certainly, Gentlemen; the Court
not *wish, nor does* the law require, that your private

affairs should be injured by your serving on the jury. It would be too great a privation to prevent your seeing the members of your family on necessary business; you will take care to have an officer present.

A Juryman. Certainly, my Lord.

Mr. Justice Bayley. The oath taken by the officers, I believe, is, that they will not suffer you to be spoken to on the subject of these proceedings.

A Juryman. All we can wish, my Lord, is to give directions on our private affairs, in the presence of an officer.

COURT OF KING'S BENCH.

Wednesday, 11th June 1817.

James Watson was set to the bar, and Arthur Thistlewood, John Hooper, and Thomas Preston in the seats immediately behind.

Charles Miell, sworn.

Examined by Mr. Solicitor General.

Q. I believe you are one of the horse-patrole belonging to the public-office at Bow-street?

A. Yes.

Q. Were you on duty on Monday night, the second of December, near Highgate?

A. Yes.

Q. On that night, did you see three men walking?

A. Yes.

Q. About what hour?

A. About eleven o'clock.

Q. In what direction were they going?

A. Towards Finchley.

Q. Whereabouts did you first see them?

A. Against the church at Highgate.

Q. Did you speak to them?

A. Not till after they had passed me.

Q. Then you spoke to them?

A. No.

Q. What happened?

A. Two watchmen were standing against the church-railing, and I was on the left-hand side of the road; the prisoner at the bar passed me on the right-hand.

Q. That is Watson?

A. Yes; I had received an information a week before of three footpads.

Q. You had received some information which induced you to observe them?

A. Yes.

Q. What did you do?

A. I told the watchmen ——

Q. You must not tell us what you told the watchmen, but what did you actually do?

A. I turned my horse's head and told the watchmen to come with me.

Q. Having done that, what did you do then?

A. I observed that the three persons who were walking along the footpath on the right-hand side of me, seemed to be taking very particular notice of me, and that they rather made a stand, as if they were like confused or something of that kind.

Q. What did you then do?

A. I turned my horse's head and went back and got rather before them, I rode up to the prisoner at the bar which was the front man, and I said, "gentlemen, I beg your pardon, but where are you travelling to," the prisoner at the bar replied, "to Northampton," I told him it was a late hour of the night to be travelling so near London.

Lord Ellenborough. What hour was it?

A. Eleven.

Mr. Solicitor General. What then passed?

A. I said, "I suppose you know what I am gentlemen, I am a horse-patrole belonging to Bow-street."

Mr. Wetherell. This is conversation?

Mr. Solicitor General. Yes; with the prisoner Watson.

A. The prisoner at the bar takes a bundle up from under his right-arm and holds it up to me with his right-hand,

instead of my taking hold of the bundle, I passed my left-hand into the breast of his coat, and I catched hold of the butt-end of a pistol; I drew the pistol from the prisoner, and told him that if he offered to move, I would blow his brains out.

Q. Where were the two watchmen at that time?

A. One of them was close to my horse's heels, the other I did not observe.

Q. Having said this, what did you do?

A. I told the watchman to secure the other two.

Q. That watchman, who was near your horse?

A. Yes; the other was not there.

Q. Upon you saying that, what was done?

A. The watchman took his rattle and ran back; I cannot say how many yards, but he ran back from my horse's heels and sprung his rattle; the other two persons who were with the prisoner, drew a pistol a-piece from their pockets behind,—they had great coats on.

Q. Having drawn their pistols, what did they do?

A. One of them pulled the trigger.

Q. In what direction was the pistol?

A. He was making a retreat to go behind me, they could not go in front of me, my horse's head was so close to the wall.

Q. How was the pistol directed?

A. Close to my side.

Q. To whom was the pistol pointed?

Mr. Justice Bayley. Was the pistol directed towards any body?

A. Yes; they were both pointed towards me, and one of them pulled the trigger.

Mr. Solicitor General. Did the pistol go off?

A. No; the powder in the pan did not catch.

Q. What did the other persons do?

A. They ran away.

Q. Was either of the pistols fired?

A. Not at that moment.

Mr. Justice Abbott. Did only one of them run away, or the two?

A. The two.

Mr. Solicitor General. What was then done?

A. By the watchman springing the rattle, and the other watchman running out from the Red-Lion, there soon came four or five people, two young men ——

Q. They came out to your assistance?

A. Yes; hearing me call out stop thief, and one of them says, "damn you patrole, why do not you ride after them," I said, "here is a prisoner at my left-hand and I cannot go," they said, "we will take care of him," I asked the landlady whether she knew the young men, she said she did, and I might leave the prisoner with them, and then I rode off to proceed after the other men.

Lord Ellenborough. The landlady told you you might safely leave the prisoner with these young men.

A. Yes.

Mr. Solicitor General. You proceeded after the other two?

A. Yes; about two or three hundred yards I pulled my horse up, and I thought I heard a scuffle from where I went from, I turned my horse and came back, when I came back, the prisoner and the two persons I had left with him were all on the ground together, struggling?

Q. Before that, had either of the persons who ran away, fired a pistol?

A. Before I went away.

Q. Before you went after them?

A. Yes; before I delivered the prisoner into their custody they ran away, and the moment that the two persons came out to my assistance, one of the pistols went off.

Q. At the moment when those persons came out of the public house?

A. Yes.

Q. When you returned and found those persons struggling, what did you do?

A. I got off my horse directly, and secured the prisoner.

Q. Had the prisoner at that time any thing in his hand?

A. I saw something bright, and I took hold of the handle, one of the persons whom I had left in charge, had got hold of this in the one hand, and the prisoner had got hold of the other.

Q. Of that instrument which you have in your hand?

A. Yes; a dirk from a walking-stick; one of the young men I left him in charge of, had hold of the blade trying to wrench it from him.

Q. You assisted in securing him?

A. I took him into the public house.

Q. After you had taken him into the public house, did you search the prisoner?

A. Momentarily.

Q. Instantly?

A. Yes.

Q. What did you find upon him?

A. I found some papers.

Q. Is that the pistol which you took from the prisoner? (*shewing it to the witness*)

A. Yes.

Q. Look at these papers, (*shewing them to the witness*) are these the papers which you took from the prisoner?

A. They are.

Q. Did you, before you parted with the possession of them, make any mark upon them?

A. I did.

Q. Having searched him, did you ask him his name?

A. I did.

Q. What answer did he give?

A. He told me that his name would be well known at Bow-street.

Q. Did he tell you his name?

A. No he did not.

Q. Did you say any thing more to him, or he to you, when you were in the public house?

A. No, not at the public house, I did not.

Q. Where did you convey him?

A. Down to Somers-town watch-house.

Q. Immediately?

A. Yes.

Q. In your way to Somers-town watch-house, or at Somers-town watch-house, did he say any thing?

A. He said that he had been in the city, that he had been at the Spa-fields meeting.

Q. Did he say any thing more about the city, or what he had been doing there?

A. Not to me then.

Q. In your hearing?

A. No, not in my hearing?

Q. Did he say where in the city he had been?

A. Towards the Tower he said he had been; I asked him whether he had been in the place where the riot was, in Skinner-street, he said no, he went through East-Smithfield: that was the next morning that he said that.

Q. Where was it he told you this?

A. When I was going to Bow-street with him.

Q. You said something about towards the tower?

A. Yes; that he had been through East-Smithfield and away down to the tower.

Q. Did he say any thing more about the tower?

A. No, he did not.

Q. Did you examine the pistol which you had taken from him?

A. I did.

Q. Was it loaded?

A. It was.

Q. With what?

A. With powder and balls.

Q. Did he say any thing about the pistol?

A. No, he did not; he observed though at night, that it was very unfortunate that he had the pistol in his breast, that it should be observed.

Q. Did he say any thing more about it?

A. No, he did not.

Lord Ellenborough. Had you observed the pistol before you felt it.

A. No; his coat lay rather open; I had suspicion from the description I had received of the three men of whom I had information.

Q. That induced you to put your hand there?

A. Yes, it did.

Cross-examined by Mr. Serjeant Copley.

Q. It was in consequence of your finding a pistol in his breast that you apprehended him?

A. Yes.

Q. He knew that of course?

A. Yes, I should suppose so.

Q. Finding the pistol in his breast, you apprehended him, and carried him to Somers-town?

A. He walked to Somers-town.

Q. You conducted him to Somers-town and there he remained in custody during the night?

A. Yes.

Q. Then he said it was a very unfortunate thing that you had seen the pistol in his breast?

Mr. Justice Abbott. Those are not the words.

Lord Ellenborough. That it was very unfortunate

that he had a pistol in his breast, that it should be observed.

Mr. Serjeant Copley. He said it was very unfortunate that he had a pistol in his breast that it should be observed?

A. Yes, he did so.

Q. That had led to his apprehension, and to his being confined?

A. Yes.

Q. And you were at that time talking about his detention, and his being confined?

A. Oh no.

Q. What were you talking about?

A. I told him what I detained him for, was, on suspicion of his being one of the characters that had been out in Essex the week before.

Q. I presume that which occasioned your suspicion was seeing the pistol?

A. Not exactly so; the description of the three men: two short and one tall one was my description.

Q. Seeing the pistol was the reason of your apprehending him?

A. No, I did not see it.

Q. Feeling it?

A. Yes.

Q. That the prisoner knew?

A. Yes.

Q. Did you tell him you suspected him to be one of those characters you had information of being in Essex?

A. Yes.

Q. Did he know the ground?

A. When I told him I suspected them of being foot-pads, he seemed very strange, and did not know what a foot-pad was.

Q. This was after you discovered the pistol?

A. Yes it was.

Q. Did you give evidence at the Old Bailey on Watson's trial?

A. No, I did not.

Q. You gave evidence before a magistrate, I suppose?

A. Yes, I did.

Q. And before the Grand Jury?

A. Yes.

Q. How soon was that after he had been apprehended?

A. I cannot particularly say.

Q. How soon did you give information before the magistrate?

A. On the next morning.

Q. Did you state before the magistrate all that you have now stated?

A. Yes.

Q. Who was the magistrate?

A. Sir Nathaniel Conant.

Q. You say he told you he had not been in Skinner-street?

A. Yes.

Q. That he went through East Smithfield and away down to the Tower?

A. Yes.

Q. Were those the precise expressions he used?

A. Yes.

Q. Did he say any thing more about it?

A. No.

Q. Did you mention that to the magistrate the next morning?

A. No.

Q. That was all he said about being at the Tower?

A. That was all.

Q. Nothing was said about the time he had been at the Tower?

A. No.

Q. Nothing was said about the time he had been in East Smithfield?

A. No.

Q. Whether it was early or late in the day did not appear from any thing he stated?

A. No.

Q. But those words you have stated were the words he made use of?

A. Yes.

Q. After you had apprehended him you say, you asked him his name?

A. Yes.

Q. He was at that time in custody?

A. Yes.

Q. After he was in custody, you said something about his name?

A. Yes.

Q. He was then completely in custody?

A. Yes; in the public-house I asked him his name, and again going down Highgate-hill.

Q. Did he know you were a Bow-street police officer?

A. He did, I told him that.

Q. He knew that you were going to take him to Bow-street, I presume?

A. Yes; he told me his name would be well known at Bow-street the next morning.

Q. He knew you were going to take him to Bow-street, and he said his name would be well known at Bow-street?

A. Yes.

Mr. Solicitor General. We will now read the papers.

The following paper was read:

Committ. P. S.

Sir F. Burdett,	Mr. T. Evans,
Lord Cochrane,	Mr. H. Hunt, Esq.
Mr. A. Thistlewood,	Mr. Hardy,
Mr. J. Watson,	Mr. R. O'Connor,
Mr. Gale Jones,	Mr. Blandford.
Major Cartwright,	

Mr. Gurney. There is another I believe; the names are the same, therefore that need not be read.

Mr. Solicitor General. You will find another paper beginning, Smiths, Westminster-road.

It was read as follows:

Smith, Westm. Rd.
collect ——— and meet
form 3 divisions at London
Bridge ——— and proceed to
the old man

Smith West Rd form 3 Div collect
numbers—and meet at London
Bdg—where will be met and
be lead to the old man

Padtn to proceed to St. Gs meet the Ish barrcde
each side to
to Hlborn Brrs to meet the Ish
branch off to T.B— barrcde
Chy Le—Cy Str

1 St. Giles— St. in Holborn, broad part of Holborn Barrs. Chancery Lane.

2 Cary Street. Temple Barr.

3 Theobald's Road. Gray's in Lane. Elm Street.

4 St. John's Street. Old Street Road.

5 White Chappel.

6 Tower.

7 Bank.

8 Plty.

Lord Ellenborough. Hand the papers which are read to the Jury.

Mr. Solicitor General. The other paper purports to be a letter by a person of the name of Gilbert, addressed to Preston; perhaps it had better be read; it is very short.

Lord Ellenborough. Perhaps the Jury had better see the papers now, in order to direct their attention to them.

Mr. Wetherell. I will, with your Lordship's leave, look at them after the Jury have inspected them.

Lord Ellenborough. Perhaps it may be as well; I will hand to you the copy which has been handed to me as a copy.

Mr. Serjeant Copley. Mr. Barlow has been so good as to say that he will furnish me with a copy, which will answer my purpose.

Lord Ellenborough. What other paper have you?

Mr. Solicitor General. It is a letter addressed to Preston, found in the pocket of Watson; I do not know that it is material, except as shewing that there was a letter from Preston found in his pocket.

Mr. Wetherell. I do not know for what purpose it is offered; the question is whether it is admissible in evidence.

Mr. Solicitor General. Oh certainly, having been found in his pocket.

Lord Ellenborough. Every letter found in his pocket is admissible, undoubtedly.

Mr. Wetherell. It is evidence against Preston certainly, but not against Watson; I understand the way in which it is put by my learned friends now.

The following Letter was read:

Cock Inn, Wednesday Morning.

MR. PRESTON,

Sir,

Having understood you want somebody to deliver out Bills, I should be happy to do it, and a friend

in distress as well as myself, would be glad to make one too, having had the pleasure of seeing you at the Red Heart, Shoe-lane; if you will have the goodness to call at the Red Heart to night, or let me know where I can see you, I shall esteem it a favour, being very much in distress, and not knowing where to get a shilling towards my support; if you will have the goodness to give me a job, I shall esteem it a particular favour.

I am, Sir,

Yours Respectfully,

THOMAS GILBERT.

Nov. 27th, 1816.

Directed to

MR. PRESTON.

John Castle sworn.

Examined by Mr. Gurney.

Q. You know the prisoner James Watson the elder?

A. Perfectly well.

Mr. Wetherell. Before you examine him I will take the liberty to ask him, have you had any promise of pardon on condition of giving your evidence?

A. No.

Mr. Gurney. That does not go to his admissibility.

Mr. Wetherell. I submit that it is a fit question to be asked though it does not go to his admissibility.

Mr. Gurney. If it does not go to his admissibility as a witness I submit it ought not to be put now.

Lord Ellenborough. You will have the opportunity of putting any question you may think proper to affect the credit to his evidence on cross-examination.

Mr. Gurney. Do you know Mr. James Watson the son?

A. I do.

Q. Do you know Mr. Thistlewood?

A. Perfectly well.

Q. Mr. Preston?

A. Perfectly well.

Q. And Mr. Hooper?

A. All of them perfectly well.

Q. Which of them did you know first?

A. Mr. Hooper, John Hooper.

Q. How long have you known him?

A. About two years.

Q. In what month did you become acquainted with the prisoner Mr. Watson?

A. About three weeks or a month before the first meeting in Spa-fields.

Q. That was in the month of October?

A. Yes. I had seen Mr. Watson before, but did not become acquainted with him till within three weeks or a month before the first meeting in Spa-fields.

Q. At what place had you seen him?

A. At the Cock in Grafton-street.

Q. Had you frequently before that been at the Cock?

A. Yes, frequently.

Q. Did any society meet there?

A. Yes, a society called the Spenceans.

Q. Was it at a meeting of that society you had seen him?

A. I had never seen him at any other society but those meetings; the first time I ever saw him was at this meeting.

Q. Had you seen him at the meeting of the Spencean society at the Cock before you became acquainted with him?

A. I had.

Q. What was the first conversation which passed between Mr. Watson and you?

A. Mr. Watson introduced himself to me by saying, it was a very easy matter to upset government, conditionally, that it was handled in a proper manner.

Q. Was that at the Cock, or at any other house?

A. It was at the Cock in Grafton-street.

Q. Did you also meet him about that time at any other house?

A. He appointed that night for me to meet him the following night at the Mulberry shop, or the Mulberry-tree, near Moorfields.

Q. The Mulberry-tree, in Mulberry-tree Court, in Wilson Street?

A. I do not know the name of the place precisely, but near Moorfields.

Q. You and he made an appointment to meet there the following evening?

A. Yes.

Q. Did any society meet there?

A. Yes; a society of the same kind as at the Cock.

Q. Of the Spenceans?

A. Yes.

Q. The same night, at the Cock, did you see Preston?

A. I did.

Q. Had you seen him before at the meetings of the Spenceans?

A. I had.

Mr. Justice Abbott. Your question was, Did you see Preston at the Cock on the same night; to which night do you refer?

Mr. Gurney. The night he met Watson, my Lord. Did Preston say any thing to you?

A. He did.

Q. What did he say to you?

A. He called me down stairs.

Mr. Justice Bayley. On that night?

A. Yes, that same night; he called me down stairs, and wished me to meet him in another house, where there

is another society held; the name of the house I cannot recollect, but it is near Fleet Market, where a society of tradesmen met.

Q. What answer did you give to that?

A. I asked him for what purpose; he told me he was one of the committee, and they were there meeting for the express purpose of doing away with machinery; to petition Parliament to do away with machinery.

Mr. Serjeant Copley. Will your Lordship allow me to suggest that what Preston says, Watson not being present, with reference to something, which is not the object of this conspiracy, cannot by any possibility be evidence. I submit that with great deference my Lord?

Lord Ellenborough. It may not be evidence to prove the conspiracy, but we cannot separate the parts; in directing the Jury we may direct them to pay less or greater attention to it.

Mr. Justice Bayley. Whether this has or not reference is matter perhaps of evidence.

Mr. Gurney. I should have passed it over but I thought it would take more time.

Mr. Wetherell. Your Lordship cannot conceive what may be the end of these conversations.

Mr. Serjeant Copley. Your Lordship will see how perfectly irrelevant that is, for what purpose he had said, I have not the answer down.

Lord Ellenborough. To petition parliament to do away machinery.

Mr. Serjeant Copley. I should submit to your Lordship, that Watson not being present, and this being a matter totally unconnected with the present prosecution, cannot be received in evidence.

Lord Ellenborough. It is merely introductory to the evidence.

Mr. Wetherell. We see the object of it, it is merely to

let in the Spenceans, which has nothing to do with this business.

Mr. Gurney. Yes, you will see it has a great deal to do with it.

Lord Ellenborough. I think it is admissible as introductory.

Mr. Gurney. Did any thing pass between you and Preston as to the Mulberry-tree?

A. Yes, he asked me the same as Mr. Watson had done, to meet him at the Mulberry-tree; I told him I had promised Mr. Watson that I would meet him there.

Mr. Justice Bayley. Did he fix the time?

A. Eight o'clock the next night, the Thursday night.

Mr. Gurney. Did you meet him at the Mulberry-tree the next night?

A. I did.

Q. Can you give me the time of that or about the time?

A. It was about three weeks; as nigh three weeks as possible, before the first meeting in Spa-fields.

Q. Did you meet both of them at the Mulberry-tree?

A. I did.

Q. Were there other persons present at the Mulberry-tree?

A. There were a great many that I did not know; the only people that I knew, was the two Watsons, Preston, Hooper, Mr. Thistlewood, and the two Evans's, and Mr. John Harrison.

Q. The two Evans's, father and son.

A. Yes.

Q. And other persons whom you did not know?

A. Yes.

Q. After the meeting broke up, with whom did you walk away?

A. I walked away with the elder Watson.

Q. Had he any conversation with you as you were walking together?

A. Yes, the same conversation renewed.

Q. Repeat what he said?

A. He said it was a very easy matter to upset government, conditionally, that it was handled as it ought to be.

Q. What answer did you give to that?

A. I asked him which way; he told me if there were a few good fellows got together, it was a very easy matter.

Q. Did he ask you any question?

A. He told me he had drawn a plan of an instrument that would debar the cavalry, that would prevent the horse coming on the mob; he then said that they had got several people, that they had solicited at different houses where they had gone, and that they had got a committee sitting.

Q. That they had got several people at different houses?

A. Yes, several people whom they could collect together, and that they had got a committee sitting to devise the best modes and the best plan.

Q. What more did he say?

A. Merely conversation of the same kind; he asked me where I lived, I told him.

Q. Where did you live?

A. I lived at No. 5, Newton-street, Holborn.

Q. You then lived at No. 5, Newton-street, Holborn.

A. Yes.

Q. What more?

A. He told me he would call the next day morning, which would be the Friday, and shew me the plan.

Q. Did you then part, or was there any further conversation?

A. A great deal of conversation; but merely the same conversation, merely about upsetting government, nothing more particular passed on that occasion than what I have stated.

Q. You parted for that night?

A. I did.

Q. Did you see him the next day?

A. I did not; he called two or three times.

Q. That is as you heard. Did you see him afterwards.

A. Yes, the Saturday morning after; he called and I saw him.

Mr. Justice Bayley. Were you out on the Friday?

A. Yes, I was.

Mr. Gurney. You understood him to have called?

A. Yes.

Q. And on the Saturday you saw him?

A. Yes.

Q. Are you a married man?

A. I am.

Q. When he called on the Saturday, did your wife remain at home, or did she go out?

A. She went out.

Q. Were he and you alone together?

A. We were together for about an hour; I desired her to go out.

Lord Ellenborough. He was an hour with you?

A. Yes, about an hour as nigh as possible.

Mr. Gurney. State what passed at that conversation?

A. He took out several papers, one of those appeared to be a plan of the Tower.

Mr. Wetherell. We must have some account of this paper.

Mr. Gurney. I shall hereafter produce the paper found in his lodgings.

Lord Ellenborough. If he said it was a plan of the Tower, that would be sufficient, but I understood from the opening, that this paper would be produced.

Mr. Gurney. He produced a plan of the Tower?

A. Yes, and likewise a plan of the machine which he had told me he had invented himself, which appeared to run on four wheels.

Q. The machine for obstructing the cavalry?

A. Yes.

Q. It was to run on four wheels?

A. Yes.

Q. How was it to operate?

A. With a sharp knife and spikes up.

Q. Something to wound the horses feet?

A. It was to run on four wheels so as to prevent the horses advancing, there were knives something like a sword on each side, or like a scythe.

Mr. Justice Bayley. Something horizontal and sharp?

A. Yes, very sharp.

Q. Horizontal?

A. Yes, to prevent the cavalry coming in any part of the street.

Mr. Gurney. Was it to be large or small?

A. He did not particularly mention the size, but about the size of a common wheel.

A Juryman. Cannot you speak to the size, as you say he produced the machine?

A. No; a paper drawing.

A Juryman. I have got it down wrong I see.

Mr. Gurney. What more passed?

A. He shewed me those papers, and wished me to exert myself as much as I possibly could to get all the people I could together.

A Juryman. Did I understand you to say the wheel of the machine was to be a common sized wheel?

A. Yes, a common sized wheel.

Mr. Gurney. Did he produce to you any other drawing?

A. Yes, there were several other drawings he produced of the Tower, something like a bridge.

Q. Any drawing of any other place but the Tower?

Mr. Wetherell. Let us have the whole about the Tower; there was something of a bridge?

A. Yes, something like a bridge, and the different entrances and avenues out of the Tower.

Mr. Gurney. Do you remember any drawing of any other place?

A. I do not particularly remember any other; there were several others, but I did not take particular notice of them so as to speak to them.

Q. Give us an account of the further conversation?

A. He asked me how many I could bring; how many I knew; I said I knew a great many, but I did not know whether they would act or no when they were put to the test, but I would exert myself as much as I could, and try and get all I could together; that I had got nothing but what little business I did to live on; he said never mind that, they would do something better for me; that they had got plenty of money for every thing.

Q. You are by business a smith, I believe?

A. Yes, I am. He said I should do better than that; that they had sufficient money for any thing.

Lord Ellenborough. That he or they?

A. That they.

Mr. Gurney. Do you remember any thing further?

A. There was nothing very particular more took place that day.

Q. Did you make an appointment to meet that evening?

A. I made an appointment to meet him the next day morning.

Q. Did you meet him that evening?

A. I believe we met at the Cock that evening, but I am not certain.

Q. Do you remember meeting him and Preston at the Cock?

A. Yes; I remember meeting them several times, but I cannot positively say whether it was that evening or not.

Q. About that night did you meet him and Preston, and have any conversation with them?

A. I really cannot positively say, whether that night I did meet them.

Q. Did you have any conversation with him?

A. The next day morning I met Watson, the Sunday morning at eleven o'clock, at one Newton's.

Q. What passed?

A. Similar conversation took place there; we had something to drink together; we could not have much conversation there, for there were other people in the way at hand; but as we were coming down Drury-lane towards Holborn, Watson told me that they had got a committee, consisting of five, he mentioned the names of Harrison, Preston, Thistlewood, and his two sons—his son and himself, I mean; and that I should be made one of the generals, and head a party of men—party of pike men, and different men, that I should hear more about it in a few days; and that I might consider myself from that time, as one of the committee, and they should not take in more besides myself; that I should make the sixth; and they would not have any more.

Q. Did you make any appointment for any future meeting?

A. I made an appointment that night to meet him at the Nag's Head, Carnaby-market, where there was another meeting of the Spenceans.

Q. Will you endeavour to remember whether, before this meeting at the Nag's Head, you had met him and Preston together, and had had any conversation with them together at the Cock?

A. I really cannot positively say.

Q. Did you meet at the Nag's Head?

A. Yes.

Q. Who was there?

A. There was one John Keenes, whom I knew; the

elder Watson, the younger Watson, Preston, Thistlewood, and the two Evans's.

Q. You do not know whether any thing particular passed there?

A. Nothing particular.

Q. Did you meet Watson any morning?

A. I met him the next day-morning, the Tuesday morning, I believe it was.

Q. Was that any morning when you went towards Portman-square?

A. We went to Portman-street barracks, and King-street barracks.

Q. Who went with you?

A. The elder Watson.

Q. What barracks did you go to?

A. Portman-street barracks, King-street barracks, and across the park to where the powder is kept—the magazine post, a small magazine.

Mr. Justice Bayley. Is that in the park?

A. Yes.

Mr. Gurney. Do you mean Hyde-park?

A. Yes.

Q. Was there any other person along with you at this time?

A. One Skinner was with us.

Q. During the whole of the time of your going to those places?

A. Yes, during the whole of the time.

Q. Had you ever seen Skinner before?

A. Yes, I believe I had seen him once or twice at the meetings, but not knowing him, nor having any conversations with him————

Q. What meetings do you mean?

A. The Spencean meetings.

Q. Before you set out had you had any conversation with

Watson, on the subject of your going to look at those barracks?

A. Yes, to go and look at the whole of the avenues, with a view to seeing which was the best place to set fire to the barracks.

Q. After you had seen the barracks, did Skinner go home with you, or leave you?

A. He left us in the park.

Q. After Skinner had left you did Watson say any thing to you respecting Skinner?

A. He did.

Q. What did he say to you?

A. He told me he thought Skinner had been a much more clever fellow than he was; he intended to have made him an officer, but he found he was a man who had no idea, and not at all calculated.

Q. Did you meet him at Newton's?

A. I did.

Q. Whom did you meet there?

A. I met him and his son.

Q. Watson and his son?

A. Yes; but I did not know that it was his son till afterwards.

Mr. Justice Bayley. What day was this?

Mr. Gurney. Do you remember what day this was?

A. I do not.

Q. Do you remember the day of the week?

A. I believe it was on the Wednesday.

Q. Was it the day or the evening?

A. It was in the morning part; I recollect that it was on the Wednesday, on account of the meeting at the Cock being in the evening.

Q. Were the Spencean meetings at the Cock on the Wednesday evenings?

A. Yes.

Q. At Newton's, at this time were you introduced to any person?

A. No, I was not.

Q. Did you see any person besides him and his son?

A. No.

Q. How soon were you introduced to Thistlewood; you say you had seen him at a meeting: how soon were you introduced to him?

A. I believe it was that day or the day following, I cannot say which.

Q. By whom?

A. By one John Harrison.

Q. Who was in company besides you and Harrison and Thistlewood?

A. All three were strangers that I did not know.

Q. Do you mean by Harrison, that Harrison whom you have spoken of as one of the committee?

A. I do.

Q. What is his christian name?

A. John Harrison.

Q. Did the strangers outstay you, or did you outstay he strangers?

A. We outstaid the strangers.

Q. Did any conversation afterwards take place between you and Thistlewood?

A. Yes.

Mr. Wetherell. He has not said where this was.

Mr. Gurney. Where was this?

A. At John Newton's.

Q. State what Thistlewood said?

A. We had some ale, and as soon as there was an opportunity, Thistlewood asked me how much it would take to make a few hundred pikes and how long it would take me.

Q. You being a smith?

A. Yes.

Q. By what it would take, what did you mean?

A. How much they would come to a-piece; and how short a time could I make them in.

Lord Ellenborough. How long it would take, and what they would cost?

A. Yes.

Mr. Gurney. What answer did you give him?

A. I told him it entirely depended upon the size of the iron or steel, or whatever they were made of, and what length they were, being the most convenient and most handiest.

Q. Did any thing more pass about them?

A. I asked him what length he should want them and what size, he told me about nine or ten inches; he chalked out something with a pencil of the length of them: I told him I thought they might be got for about fourpence or fourpence halfpenny a pound; he then wished me to make him one as a pattern to look at, accordingly I promised him I would.

Q. Did any thing more pass material?

A. I promised I would make him one, I told him I had got no place to make them in; Harrison replied, that he knew a person that he thought would lend me the use of his forge for a little while to make one as a pattern.

Q. Did he mention his name?

A. He did not at that time.

Q. Did any thing more pass?

A. No further than to meet in the evening; I was to make one as a pattern, and we were to meet in the evening.

Q. Where were you to meet in the evening?

A. At the Cock, in Grafton-street; we were to meet at Newton's afterwards, but we met at the Cock, first.

Lord Ellenborough. Were you to bring the pike to the Cock?

A. No, not to the Cock.

Mr. Gurney. Where is Newton's?

A. In Long-acre.

Q. In a court in Long-acre?

A. Coming into Long-acre.

Q. A public-house?

A. Yes.

Q. Were you to bring the pike to Newton's?

A. No; to Randall's or Rensdell's, nearly opposite to Newton's.

Q. Did you go to this public-house kept by Randall, or some such name, opposite Newton's?

A. I did.

Q. Whom did you meet there?

A. I met Thistlewood, the two Watsons, and Hooper was there and Harrison; Preston, I believe was not.

Q. Did you there produce the pike you had made?

A. I did not make it; Hooper and Harrison went with me to get one made.

Q. Where did they go with you?

A. To a little shop, in a cellar, kept by a man of the name of Bentley in Hart-street; Harrison had known this man for sometime before.

Q. Do you mean Hart-street, Bloomsbury?

A. By Covent-garden.

Q. When you went to Bentley, did either of you speak to him?

A. I spoke to him; I asked him to permit me to make use of his forge to make a spike I told him.

Q. What did you tell him was the purpose for which you wanted it?

A. I am not certain whether I told him it was to put round a rabbit warren or a fish pond.

Q. Some innocent purpose?

Q. What answer did Bentley give you?

A. He told me he would make me one, I told him if he would permit me I would make it; he would not permit that, and he looked out a piece of iron and made it.

Q. Did he make it while you staid?

A. Yes, he did.

Q. What was done with it?

A. It was given to me, and I brought it away.

Q. Did Harrison and Hooper stay, or did you remain alone with him?

A. Harrison and Hooper staid the while it was making, and we came away together.

Q. Did you take that pike in the evening to this house of Randall's?

A. Yes; in the evening or some part of the day, I think it was the earlier part of the day.

Q. Whom did you meet there?

A. I met the two Watson's.

Q. Is the name Randall or Raisdell?

A. I am not certain, it is a name of that kind.

Q. Whom did you meet?

A. The two Watson's, Thistlewood, Harrison, and Hooper, Preston was not there.

Q. Did you produce this pike?

A. I did.

Q. What was said about it?

A. They said it was a very famous instrument.

Q. Who said that?

A. Doctor Watson.

Q. You call Mr. Watson, Doctor; is he a medical man?

A. Yes.

Q. Did he go by the name of Doctor with you?

A. Yes, he did.

Q. Did any thing more pass between you particular?

A. Not any thing more particular, we met in the evening at the Cock.

Q. Did any thing important pass at the Cock that evening?

A. No further than Doctor Watson took and wrote with his pencil, the name and number of the house the committee had taken, No. 9, Greystoke-place.

Q. No. 9, Greystoke-place, is the house where the committee met?

A. Yes.

Q. Did you about that time take any walk towards Paddington with either of those persons?

A. Yes; I had been to Paddington with Thistlewood.

Q. When was that?

A. The night before, amongst the navigators.

Q. For what purpose?

A. For the purpose of seeing how many men we could get, with the spirit of them; how many there were out of employ.

Q. Did you go together to any places?

A. We did.

Q. Public or private?

A. Public; and we found a great many navigators and treated them with beer.

Q. Who found the money?

A. Mr. Thistlewood.

Q. Did either he or you make any enquiries; did you ask any questions?

A. Yes.

Q. What kind of questions?

A. I had seen one of them a night or two before, and had said they were out of employ, and they wished there was to be a good row; that they had rather be killed than starved to death: that was the reason of our going up.

Q. Had you communicated to Thistlewood what passed the evening before?

A. Yes.

Q. State the words again?

A. That if there was a good row they would sooner die than be starved to death.

Q. This you communicated to Thistlewood, and that was the inducement to his going with you that night?

A. Yes, the night before.

Q. When you found the navigators at those public-houses, what questions did either he or you put to them?

A. It is impossible to say, but he told them we should want them for a job in a little time; it was not told them for what it was.

Q. Of course not?

A. And that he wished to know how many of them might be collected together in the course of a few hours in case they should be wanted.

Q. What answer did you get?

A. They said they could get five or six hundred in the course of a very few hours, in the morning particularly, that there were such a number of them out of employ.

Q. You treated them with beer?

A. Yes.

Q. After this, did you come away?

A. Yes, we called at several houses.

Q. Did you after that go into any public house near the theatres?

A. Yes, we went into a house near Long-acre, which the soldiers use.

Q. Do you mean the soldiers who attend the theatre?

A. Yes.

Q. How many soldiers did you find there?

A. They kept coming in and out, I suppose there might be eight or ten altogether, we treated them with half a gallon of beer the first time.

Q. Who treated them with the beer?

A. Mr. Thistlewood.

Q. Did he ask them any question?

A. He asked them about their treatment, and what their pay was.

Q. What do you mean by their treatment?

A. How their officers treated them.

Q. How much beer altogether did he give them?

A. About half a gallon or three pots at that house.

Q. Did you afterwards go together to any house in Vinegar-lane?

A. Yes; the Black Lion, that is used by the soldiers who attend Drury-lane.

Q. That is now called Woburn-street?

A. Yes.

Q. This was at the Black Lion?

A. I am not quite certain of the sign of the house.

Q. Did you find any soldiers there?

A. Yes; about the same number as we found in the other house.

Q. Was any conversation held with them?

A. Something similar to the first, and also treated them with beer.

Lord Ellenborough. Who paid for the beer?

A. Thistlewood.

Mr. Gurney. What quantity was it?

A. I think it was a gallon.

Q. Was there any thing which induced him to give more there than he had given at the other house?

A. Yes; there was a Yorkshireman that spoke rather violent.

Q. Violent on what subject?

A. Against government.

Q. Was he a soldier?

A. Yes.

Q. Can you remember what he said?

A. Not exactly, I cannot: the conversation was about their pay and their bread, and a number of them being discharged and being very ill-treated; being discharged without pensions after fighting so many years for their country.

Q. Who said this?

A. The soldiers.

Q. There a gallon of beer was given?

A. I think it was a gallon.

Q. When he and you parted that evening did you make any agreement to meet the next day?

A. Yes.

Q. Before you parted did he give you any thing?

A. Before we parted he gave me two three shilling pieces.

Q. Did he give you any directions?

A. Yes, he directed me to go and do all that I could; to go to the different houses and collect all the people together that I possibly could.

Q. Where were you to meet the next day?

A. At Newton's I believe it was.

Q. Did you appoint to meet at Newton's the next day?

A. Yes, I believe it was so.

Q. And the next day at Newton's you did meet?

A. Yes.

Q. Whom did you meet?

A. I met Thistlewood, Watson, and Harrison.

Q. By Watson do you mean this Mr. Watson?

A. Yes.

Q.. When you met what passed?

A. It was merely to go from one house to another, to collect all we possibly could.

Q. Was that your conversation?

A. Yes; and to see what we could collect.

Q. For that purpose did you go together or divide?

A. We divided.

Q. How did you divide?

A. Thistlewood and me went down to a place they call the Fox under the Hill.

Q. Is that under the Adelphi?

A. Yes.

Q. A public-house facing the river?

A. Yes.

Q. What kind of men did you find there?

A. A great quantity of coal-heavers, and such men as empty boats: people who work upon the Thames.

Mr. Gurney. By people working on the Thames, do you mean ballast-heavers?

A. The people who work in barges.

Lord Ellenborough. Ballast-heavers?

Mr. Gurney. And porters?

A. Yes; people who work upon the river.

Q. Did either Thistlewood or you converse with either of them?

A. Yes; we gave them some beer, and asked them how many there might be of them out of employ, there were ten or a dozen standing round; we told them we might very probably want them in the course of a few days; how many could we have, and they said if we came, especially in the morning, we should find fifty or sixty standing at the avenues of the different wharfs and stairs were they go to empty the barges.

Q. You treated them with beer?

A. Yes.

Q. Who found the money?

A. Thistlewood.

Q. Where did he and you go then?

A. I believe we came up towards the Cock; I am not certain.

Q. Do you remember any thing particular that passed that day?

A. Nothing particular; only going from place to place.

Q. Did you go to different public houses besides this?

A. No, not together; I went by his desire to other places.

Q. What did you do at those places?

A. To see how many I could get together that was out of employ; and if I found any person that was a little more violent than the rest, I was to take down his name and address and communicate every day, or once or twice a day, to Thistlewood.

Q. How soon did you meet either of those parties again?

A. I am not certain whether it was not the Wednesday night or not, when they went from the Cock; I was to meet them on the Thursday, at Number 9, Greystoke-place: I am not certain which day it was: it was the first day I ever was at Greystoke-place.

Lord Ellenborough. Was that to be a morning meeting?

A. Yes, a morning meeting, at eleven o'clock precisely.

Mr. Gurney. What time were you appointed to be at Greystoke place?

A. At eleven o'clock, precisely, in the morning.

Q. Did you go there at the time appointed?

A. I did.

Q. Did you find the house open or shut?

A. I found it shut up.

Q. Did you see any person?

A. When I went up to the door, coming out of the end of the court, I saw Thistlewood walking on the other side of the road.

Q. Greystoke-place is in Fetter-lane?

A. It is.

Q. You saw Thistlewood?

A. Yes, walking on the other side of the street; he called me over to him, and said that the Doctor had not come yet, that he had got the key.

Q. Did you and he wait?

A. That he was always behind his time; yes, we waited.

Q. Did you and he wait sometime?

A. We waited about twenty minutes.

Q. Who came then?

A. The elder Watson.

Q. Had he the key?

A. He had the key and opened the door.

Q. Did you three go in?

A. Yes, as soon as he opened the door we went in.

Q. Who joined you after you had gone in?

A. A very few minutes afterwards, Preston and young Watson, which I understood afterwards to be his son, I did not know he was his son till then.

Q. You had seen him before, but did not know him to be his son?

A. Yes.

Q. Upon what subject did you converse when you were altogether?

A. Upon the best mode and method of setting fire to the barracks, and getting all the men we possibly could together.

Q. Did any thing pass about pikes?

A. Yes.

Q. What?

A. The pike was produced there.

Q. The pike Bentley had made for you?

A. Yes.

Q. What passed about it?

A. Thistlewood said it was a very famous weapon, and that we would have a quantity made immediately; that we would have two hundred and fifty.

Q. They gave you orders to have two hundred and fifty made?

A. Yes, to get two hundred and fifty made immediately by Bentley.

Q. Was any thing said about plan; how you were to plan any thing?

Lord Ellenborough. Was this in the hearing of the others?

Mr. Gurney. This was a matter of consultation among you all?

A. Yes, among the five.

Q. You were all the committee there but Harrison?

A. All but Harrison.

Q. What passed respecting your plans?

A. There was very little said about the plans till the Sunday following.

Q. Did any thing pass about the barracks that evening?

A. Yes, we communicated that we had been and inspected them; Dr. Watson and me told Thistlewood we had been to inspect the barracks, to see how many avenues there were to be set fire to at one time, that we had thoroughly inspected both the Portman-street barracks and the King-street barracks; both Thistlewood and young Watson had both been and inspected them themselves.

Mr. Wetherell. How can you know that, you were not with them?

A. No.

Lord Ellenborough. If I say in your hearing, that I have been, you may know it from that.

Mr. Wetherell. He did not say it was said by them.

Mr. Gurney. How did you learn that Thistlewood and young Watson had been and inspected them?

A. Thistlewood told me so himself, and young Watson also.

Mr. Justice Bayley. They told you at that meeting, did they?

A. They did.

Mr. Gurney. Endeavour to remember any thing else that passed?

A. I do not recollect any thing further particular that passed there?

Mr. Justice Bayley. I have a note, "we communicated that we had been and inspected them, Watson and I told Thistlewood we had been to inspect them, to see how many different avenues there were to set fire to at the same time."

Mr. Gurney. Did you say any thing more?

A. That there were six avenues to King-street barracks, and that there were only two to Portman-street.

Q. What passed between you respecting the object of learning how many avenues there were?

A. That was to learn how much combustible was necessary.

Mr. Wetherell. Would it not be the better way to ask him what passed.

Lord Ellenborough. When he has got into the subject; it arises out of the subject.

Mr. Gurney. Nothing can be more regular I am sure; —what passed on the subject?

A. To see how many avenues there were, that we might ascertain, when we met on the Sunday, how much combustible were necessary to set fire to the different avenues.

Mr. Gurney. Mr. Wetherell, I must object to that; and I must beg it may not be repeated.—My Lord, I submit that gesticulations of that kind, (holding up hands as with surprise,) are extremely improper.

Lord Ellenborough. If the thing is noticed to the Court, they must animadvert upon it very severely; that is not a proper way of trying a cause.

Mr. Gurney. What day of the week was this?

A. The Friday or the Saturday.

Q. When did you meet again?

A. The general meeting was appointed for the Sunday.

Q. The general meeting of whom?

A. Of the committee of six, to arrange the whole of the business, how it was to be conducted.

Q. Did you meet on the Sunday?

A. We did.

Q. How many of you?

A. Six.

Q. All the six?

A. Yes.

Q. Before you met, had you done any thing respecting the pikes which you were to order?

A. Yes, I had paid part of the money towards them.

Q. To whom?

A. To Bentley.

Q. Had you given any orders to him?

A. Yes, for two hundred and fifty, and had paid him ten shillings in advance to get the iron.

Q. How soon were they to be made?

A. They were to be made off-hand immediately, as soon as possible.

Q. Had any thing passed at any of those meetings about handles?

A. Yes, Thistlewood asked Harrison how much.

Q. Do you remember at what meeting that was?

A. I believe it was at Raisdell's, or Randall's; he asked Harrison or me where it was most likely we could get the handles, Harrison replied that there was a place at the back of the King's-bench where he could get the handles.

Q. There were to be pike-heads fixed on handles?

A. Yes, fastened at the end to prevent their coming out.

Q. Harrison said there was a place behind the King's-bench prison where they could be got?

A. Yes, and Thistlewood asked what he thought they would cost a piece; Harrison said he thought about three-

pence or fourpence a piece, but it depended upon the length of them, what length they were to be.

Q. Now I will come to the meeting on the Sunday morning; you say all six of you met at Greystoke-place?

A. Yes, at No. 9.

Q. Proceed to detail what took place between you at that meeting; what took place before you began?

A. A box or some boxes, which I did not know were there, were fetched down stairs and were made seats of.

Q. You had no chairs?

A. No, nor no table; there was something like a public-house stool for a table, they were sent for down, and all the rooms in the house searched to see that there was no person to overawe us, to overhear us.

Q. Then you went to business?

A. Yes.

Q. Had you any map with you?

A. Thistlewood produced a map of London.

Q. Could you at all say about what day of the month this was, how many days was it before the first meeting in Spa-fields?

A. It was about a fortnight before, as nearly as I can recollect.

Q. What day in the week was the meeting in Spa-fields?

A. The Friday.

Q. Then this meeting would be twelve days before?

A. Yes.

Q. About Sunday the third?

A. Yes.

Q. Thistlewood produced a map of London?

A. He did.

Q. What was done?

A. It was marked out which would be the best roads to take.

Q. To take for what?

A. To take the men where the men should be collected together, to attack the barracks?

Q. To take the men you should collect together?

A. Yes.

Q. The best way for you to collect the parties of your different men together, who you say were to attack the barracks?

A. Yes.

Q. Was any arrangement made?

A. The first arrangement made, was to assign every man his station.

Q. What station was assigned you?

A. For us to be generals.

Q. For whom to be generals?

A. The whole of the committee, the six.

Q. You were to be generals and to have your several stations?

A. Yes; and every man attack the several barracks all at one time, at one certain moment.

Q. Give us the stations assigned to you?

A. Doctor Watson proposed Thistlewood the head general, as he finding the whole of the money.

Q. What was he to do?

A. He was to take the two field-pieces out of Gray's-inn-lane, that were in the Artillery-ground in Gray's-inn-lane, Thistlewood and young Watson.

Q. What was Preston to do?

A. Preston was to attack the Tower.

Q. What was Harrison to do?

A. Harrison was to attack the Artillery-barracks near the Regent's-park, I think it is called St. John's Wood barracks.

Q. What had Harrison been?

A. He had been an artillery-man, he had been in the artillery.

Mr. Wetherell. Does he know that?

Mr. Gurney. Had you known that?

A. I had heard it from him.

Q. In their presence?

A. Yes.

Q. What were you to do?

A. I was to set fire to King-street barracks.

Q. Was there any thing else you were to do?

A. Yes, to stop at the barracks after I set fire to them, either to take prisoners or to kill all that might try to escape.

Q. What description of men were you to have under you?

A. All sorts that I could get.

Q. How armed?

A. With pikes and different weapons we could get.

Q. What was Mr. Watson senior to do?

A. To set fire to the Portman-street barracks.

Q. Was it at all arranged or talked of what materials you were to use for those purposes?

A. Such as pitch, tar, rosin, turpentine, or spirits of wine, and sulphur.

Q. Now go on to describe what you were to do, you have told us the different barracks you were to attack!

A. We were to attack at a certain hour all those different places, and set them on fire about one o'clock in the morning, and any persons we met, we were to force and make them join us, such as watchmen, and gentlemen's carriages we were to take them and make a barricade with them, and take the horses out, and such as could ride them were to mount them and make a cavalry.

Q. Was it at all arranged where you were to unite your parties?

A. Yes; after I had set fire to the King-street barracks, I was to join the elder Watson after I had seen the whole of the barracks in flames, to see that none of them made their

escape; we were to meet at the top of Oxford-street, near the Park.

Q. Was any other of the party to join you there?

A. Harrison was to join us with the artillery he was to get from Saint John's Wood barracks.

Q. What was to be done with the artillery?

A. As soon as they joined us, there was to be a volley fired to let them know we had got possession of the artillery.

Q. What was to be done with the artillery?

A. There were two field-pieces to be taken into the Park to fire on the artillery in case any of them attempted to come across from Knightsbridge-barracks.

Q. How were those guns to be protected?

A. By the parcel of pike-men who were to be left there.

Q. What was to be done next?

A. To go down Park-lane and to barricade as soon as we got possession all the Portman-street avenues, to prevent any of the horse coming in, who might be out of quarters.

Q. Where were you to go next?

A. Down Park-lane to barricade the whole of the gates leading out of the Park into the lane down to Piccadilly; the turnpike-gate was to be chained.

Q. You mean Hyde-park-corner gate?

A. Yes.

Q You were to come down Park-lane to Piccadilly-gate, and that was to be fastened and chained?

A. Yes; and a part of the men left there to fall upon the horse if they should make an attack from the barracks.

Mr. Justice Bayley. Do you mean the turnpike-gate, or the gate into the Park?

A. The turnpike-gate.

Mr. Gurney. You were to stop all the avenues from Knightsbridge to Piccadilly, and leave a party to fire on the Horse-guards if they should come?

A. Yes.

Q. Where were you to proceed then?

A. Then we were to proceed down to the bridge towards Charing-cross, and barricade there.

Q. Which bridge?

A. Westminster, and barricade all those avenues there, to prevent the horse from coming round from Chelsea and that way; young Watson and Thistlewood after they had got possession of those guns were to break open all the oil shops to get combustibles.

Q. What guns?

A. From Gray's-inn-lane.

Q. What were they to attack the oil shops for?

A. The oil shops and gunsmiths' shops or any kind of shops were they could find any combustibles or arms.

Q. And where were they to go to?

A. They were to blockade from Gray's-inn-lane, up the left hand side from Gray's-inn-lane to Saint Giles's, where Thistlewood was to make his grand stand.

Q. What part of Saint Giles's?

A. One gun was to be pointed up Tottenham-court-road, and the other up Oxford-road.

Q. At the corner of the two?

A. At the corner of the two.

Q. You have before told me that Preston was to attack the Tower?

A. Preston was to attack the Tower.

Q. Was any other part assigned to Preston in the event of that succeeding or not?

Mr. Wetherell. Will it not be more regular to ask whether any, and what alteration was made in the plan.

Mr. Justice Bayley. I think it is a regular question.

A. Yes; Watson was to leave Thistlewood at Saint Giles's, and barricade on the right hand side of the Oxford-road, to join the other people at the top of Piccadilly, and

then barricade all the avenues on the right hand side as he came up to join the two guns.

Mr. Justice Bayley. He was to go up Oxford-street-road?

A. Yes, and to barricade as he went along; then they would have been barricaded both right and left.

Q. What was Preston to do?

A. If he did not succeed in taking the Tower, he was to go to London-bridge, and there barricade the bridge to prevent the artillery coming from Woolwich over that way.

Q. After barricading London-bridge, where were you all to march?

A. He was then to have barricaded Whitechapel to prevent the troops from coming from the country that way.

Q. And where were you to march to?

A. And then when he had got a body sufficient, the main body was to meet at the Bank, to which the cant name was given of the Old Lady.

Q. When he had got sufficient what?

A. Sufficient force.

Q. He was to meet at the Bank?

A. Yes, if he found he had any to spare, he was to send them to the body that were left at London-bridge.

Q. Where was he to meet the main body?

A. At the Old Lady, which was the cant name for the Bank; the Tower was called the Old Gentleman.

Q. Was it ever called Old Man?

Lord Ellenborough. The Old Man was in the written paper that was found.

Mr. Gurney. Was it the Old Man or the Old Gentleman?

A. Sometimes the Old Man, and sometimes the Old Gentleman; the Old Gentleman it used to go by.

Q. After this arrangement had been made, did any thing pass about those combustibles you have talked of?

A. Yes, they were afterwards to take and calculate how much they would come to.

Q. Who asked that?

A. Thistlewood.

Q. Thistlewood asked Dr. Watson to calculate?

A. Yes, and how much it would take for every avenue.

Q. What you have spoken of, turpentine, spirits of wine, pitch, and so on?

A. Yes.

Mr. Justice Abbott. Every avenue of what?

A. Of the King-street barracks and the Portman-street barracks.

Mr. Gurney. You say he made a calculation; did he say how much it would come to?

A. Something short of a hundred pounds I believe it was, I cannot say distinctly; the papers were destroyed as soon as they were done with.

A Juryman. Something short of a hundred pounds money, or a hundred pounds weight?

Mr. Gurney. A hundred pounds in money?

A. Yes.

Q. Did Thistlewood make any observation on that?

A. Yes, he told him not to spare for twenty pounds; "let us roast them well."

Q. Did Watson make any reply to that?

A. Dr. Watson said it would burn so rapidly, and the stench be so strong, it would stifle them in a few minutes.

Q. Where were the combustibles to be placed?

A. Young Watson and me were appointed to look after a house the next day morning.

Q. Where?

A. As nigh the barracks as we could get it.

Q. Which barracks?

A. Between the King-street barracks and the Portman-

street barracks, that we might get there in a very few minutes.

Q. Were you to take the house as a private house or for a trade?

A. We were to take it as for a trade.

Q. What trade?

A. To take it as an oil and colour shop, so that there should be no suspicion on our taking in the combustibles, but what it was for the shop.

Q. What passed more respecting it at that time?

A. We then were ordered to go the next day morning by Thistlewood.

Q. Were they all present?

A. They were all present.

Q. Was any thing said about price?

A. "O never mind the price, as we do not intend to pay for it; take a house at any price we would, as we did not intend to pay for it."

Q. Did Thistlewood say any more?

A. He gave us orders to go up in the morning; and the Doctor, meaning the elder Watson, was to purchase these combustibles.

Q. When was this to be done?

A. This was to have been done on the Sunday night following.

Q. Who said so?

Mr. Wetherell. Give us the date?

A. I cannot.

Mr. Gurney. This was Sunday the 3d?

A. Yes, the Sunday morning about one o'clock, it was to be done at that time, because there being so many people about drunk, they would go great lengths.

Q. The attack was to be on the night of the Saturday and the morning of the Sunday following?

A. Yes.

Q. A Saturday night was chosen, because there would be a great number of people about drunk?

A. Yes.

Q. That will be the night of the 9th and morning of the 10th.—You were to go the next morning about a house, was any thing said what was to be done in the house when it was got?

A. Yes; I was to go and be young Watson's servant, and young Watson was to be the master, and we were to lodge the whole of the ingredients there; and what men we could get together were to bore holes in the handles to put on the pikes.

Q. To fasten the pikes' heads upon the sticks?

A. Yes.

Q. Was any thing said here about who was to command, or how you were all to command?

A. Yes, it was fixed who were to command.

Q. What passed, and who said it?

A. Thistlewood.

Q. What did he say?

A. That the whole of us were to be chosen, and what command we were to take.

Q. Do you remember Mr. Watson saying any thing?

A. Mr. Watson proposed me as fourth.

Q. Who was to be first?

A. Mr. Thistlewood.

Q. Who was to be second?

A. Mr. Watson.

Q. Who the third?

A. Harrison.

Q. Then Mr. Watson proposed, you say, that you should be the fourth?

A. The fourth.

Q. Who fifth?

A. Preston proposed young Watson, as he being the youngest and nimblest; and he himself being lame, should be last.

Q. Was any thing done about any committee?

A. It was then arranged that they should appoint a committee called the Committee of Public Safety.

Q. Who proposed that?

A. Thistlewood.

Q. What was the Committee of Public Safety to do?

A. They were to have been called together after the disturbance, if we had got the better of the soldiers, or got the soldiers to join us.

Q. If you succeeded?

A. If we succeeded.

Q. Were any names mentioned for this committee?

A. Yes.

Q. Who by?

A. I believe the greatest part; any body that thought of them were to mention them; the greater part were proposed by the elder Watson and Thistlewood.

Q. Do you remember about how many names were mentioned at that meeting?

A. I think four and twenty.

Q. Will you recollect some of the names that were mentioned?

A. I recollect a few of them; Sir Francis Burdett, the Lord Mayor, Lord Cochrane, Mr. Hunt, Major Cartwright, Gale Jones, Roger O'Conner, one Squire Fawkes of Barnbury, Grange of Yorkshire, a person of the name of Sam Brooks, Thompson on Holborn-hill, and the two Evans's, Watson and Thistlewood.

Lord Ellenborough. Watson the prisoner.

A. Yes.

Mr. Gurney. What was to be done next?

A. I believe there was nothing very particular.

Q. Do you remember any thing about a proclamation?

A. A proclamation was to be issued immediately as soon as we got the better—that a new government was to be established and a bounty————

Q. If you had got the better, a proclamation was to be issued, that a new government was to be established, and a bounty?

A. Yes; a bounty of a hundred guineas, or double pay for life to the soldiers, which they pleased, if they would join us.

Q. Do you remember Thistlewood then making any observation?

A. Yes; there was an observation to Watson to calculate how much it would amount to, provided they took the hundred guineas.

Q. Who desired Watson to do that?

A. Thistlewood.

Q. Did he calculate?

A. He did calculate.

Q. What did he say would be about the amount?

A. Somewhere about two million; which would be nothing in comparison with the national debt, which would be wiped off.

Q. Do you remember Harrison making any observation upon this plan?

A. Yes; he said he was afraid when we came to call the people together, we should not find so many as were expected.

Q. What answer was given to that by either of the party?

A. Thistlewood said he did not mind if he could get two or three hundred men, he was determined to act, for he would not wait longer than Saturday night following, or Sunday morning.

Q. How long did you remain together at this meeting of the committee?

A. From eleven o'clock in the morning till between about five or six in the evening as nigh as I can recollect; it was light.

Q. This meeting was on Sunday the 3d?

A. Yes.

Mr. Justice Bayley. It was on a Sunday, and as you calculate from what he has said, it would be the 3d.

Mr. Gurney. Yes my Lord—Thistlewood said he would act the next Saturday night?

A. The next Saturday night.

Q. When you parted, what were each of you to do, was that settled?

A. Yes; we were to go to different places to see how many men we thought we could get together, and to give in the account to Thistlewood.

Q. Did you then separate for this purpose?

A. Yes.

A Juryman. Who went?

A. The whole.

Q. All the six?

A. Yes, to different places.

Mr. Gurney. You were each to go to different places, and to meet and report to Thistlewood?

A. Yes.

Q. Where did you go to?

A. Thistlewood and me went up to Paddington.

Q. To any public-houses?

A. To the public-houses we had been to before.

Q. Did you find any navigators there?

A. Yes, several.

Q. What conversation passed?

A. Similar conversations as before; we gave them

something to drink, and had the same conversations as we had before; we desired them to get together all they could, that we should want them in a few days for a job, but not to tell them what it was; there was a young man spoke rather violent, and Thistlewood desired him to bring any kind of weapons he could; a spike-nail in the end of a stick, or any thing that would run into a fellow's gats.

Q. A spike-nail—a large nail?

A. Yes.

Q. That you say was addressed to one man who talked rather more violently than the rest?

A. Yes.

Q. To how many houses about Paddington did you and Thistlewood go that night?

A. Three.

Q. The same you went to before?

A. Yes, the three I spoke of before.

Mr. Wetherell. Give us the names of them?

Mr. Gurney. Do you know the names of those houses?

A. I do not remember their names; one of them is the corner of Lisson-street.

Q. Is one of them kept by a man of the name of Smeed?

A. I do not know; one of them is the corner of Lisson-street or Lisson-green.

Mr. Gurney. We shall show that to be kept by a man of the name of Smeed.—The next morning, Monday, where did you go to?

A. I believe we were to meet at No. 9, Greystoke-place; I am not certain where we were to meet; it was to give the different reports to Thistlewood.

Q. Did you and young Watson go in search of any house?

A. On the Monday morning we met at Raisdell's.

Q. Young Watson and you?

A. Yes; and the elder Watson.

Lord Ellenborough. Where is Raisdell's?

Mr. Gurney. It is the place he has mentioned as Ramsdall's or Raisdell's, we do not know where it is—the man has quitted the place. Did you remain there?

A. We parted, and young Watson and I went up and down the street by the King-street barracks to find a house; we found an empty house that we thought would answer our purpose, I think they called the place Seymour-place, it was as close as we could get one.

Q. Who shewed it you, a man or a woman?

A. A woman; she said she had got the care of it to shew it to any person that called.

Q. To whom did she refer you?

A. To a timber-merchant, a gentleman who lives close by this court.

Q. Do you mean near Milbank?

A. Yes, a little lower down on the left hand side.

Q. Did you and young Watson go to that gentleman?

A. I stopt outside while young Watson went in.

Mr. Gurney. As we shall call the gentleman perhaps, we may as well give the name, it is Mr. Cosser.

A. Yes, that is the name.

Q. When you got to Mr. Cosser's, did you both go in, or one of you?

A. Young Watson went in, I stopped outside.

Q. When he came back, did he tell you what was the result of his enquiries?

A. He told me he had seen Mr. Cosser himself, and he had told him there was fourteen or fifteen pounds to be paid for fixtures, and that he had given Thistlewood's address; that he required a reference, and he had referred him to Thistlewood.

Q. Where did Thistlewood live?

A. Southampton-buildings I think they call them.

Q. Did young Watson and you then go to Greystoke-place?

A. Yes; we went to Greystoke-place.

Q. Whom did you see there?

A. We met the whole of the committee, at No. 9, Greystoke-place.

Q. Did you report what you and young Watson had done?

A. We did.

Q. What was said about it by any of them?

A. Thistlewood said very well, he should be at home; when would Mr. Cosser call; young Watson said, he could not call for two or three days; Thistlewood said if he called for a cheque, young Watson must give him a cheque at eight or ten days; young Watson had given him his own name—Watson; and if he wanted the money down for the fixtures, he must draw upon him—Thistlewood.

Q. Did any thing material pass at that meeting that occurs to you?

A. Yes; I think Preston and young Watson had made their report, or Preston had made his report of what number of people he had had meeting at some house in Spital-fields.

Lord Ellenborough. Did you say Preston and young Watson?

A. I am not quite confident whether young Watson did then, but I know Preston did.

Mr. Gurney. Did any thing more pass about Spital-fields?

A. He wished as many as possibly could to meet, I think, on the Monday evening, at this house where he had appointed them.

Q. Did you go that evening to this house in Spital-fields?

A. The whole of us went there that night; the whole of the six; Hooper went then; Hooper had not then joined the committee, but he went.

Q. What house did you go to that night?

A. I really cannot say; I do not know the name of the house nor the name of the street.

Q. Was it near Spital-fields?

A. In or near Spital-fields.

Q. Was there a meeting of a great number of persons there?

A. Yes; sixty or seventy, I dare say; there were more than the room could well hold.

Q. Was there any chairman?

A. There was.

Q. What was his name?

A. One Dyall; John Dyall I think was his name.

Q. Did Watson say or read any thing there?

A. He read something in the form of a petition.

Q. What did he call it?

A. A Petition to present to either house of Parliament, or to His Royal Highness the Prince Regent, I am not sure which.

A Juryman. Watson senior or junior?

A. The elder Watson.

Mr. Gurney. With whom did you go home?

A. We all came home together; but Thistlewood and I walked for some distance together.

Q. As you were going along, did Thistlewood give you any directions?

A. Yes; Thistlewood found the only outcry of the people was that they wanted arms; that I was to give further order for two hundred and fifty more, making five hundred.

Lord Ellenborough. Thistlewood gave you orders to get two hundred and fifty more?

A. Yes, he did.

Q. I presume you mean two hundred and fifty more pikes?

A. Yes.

Mr. Gurney. Did you a night or two after go to Spital-fields again?

A. Yes, two nights after.

Q. Did you go to the same house or another house?

A. I went to a different house at first; it was after the meeting had broken up at the first house.

Mr. Gurney. We will shew what house it was afterwards.

Mr. Wetherell. What meeting was that had broken up?

A. It was a meeting of the same kind, to see what we could get together; the room was not large enough at the first house on the former night; and Watson promised that there should be half a dozen or a dozen of those petitions printed off to be taken to the meetings at the different houses; there were five houses then appointed to meet at; when they met again Watson promised that the petition should be printed, and that there should be one left at each of those houses for their inspection; that Dyall was to have them.

Lord Ellenborough. Was this old or young Watson?

A. Old Watson.

Mr. Gurney. Then when you went again on the Thursday night, you went to one of those houses?

Mr. Justice Bayley. He says it was two nights afterwards.

Mr. Gurney. Was it the Thursday night or any other night?

A. I cannot be positive that it was the Thursday.

Q. Did you go to the same house?

A. No, to another house near Brick-lane.

Q. Was there a meeting there?

A. There was.

Q. What number of persons?

A. Twelve or fourteen.

Q. Who was in the chair?

A. Dyall; they read the same petition; those could not be got printed in time; and there were three I believe written by one Crisp, which was employed by Dr. Watson to write them.

Q. Why had Crisp been employed by Watson to write them?

A. I was present when he employed him to write them.

Q. You were present when he employed him to write them?

A. Yes; he wrote part of them at the Cock at Grafton-street.

Q. Dyall read this same petition at this meeting?

A. Yes, he did.

Q. How many of you were there?

A. Twelve or fourteen.

Q. How many of your committee?

A. The whole of them.

Q. Then your committee were six out of the fourteen there?

A. No, no; there were only three of our committee there, the others were divided to the different houses?

Q. You tell me there were only three of your committee at that house that night, who were they?

A. There were only two, that is to say, Harrison and me, and Hooper, who had not joined the committee then.

Q. The remainder of your committee were at the other houses?

A. Yes, they were to take the different houses.

Q. Did you join Thistlewood that night at all?

A. Yes, I did.

Q. Where did you join him?

A. At the former house.

Q. At the house at which you had been at a former meeting?

A. Yes.

Lord Ellenborough. How did you find your way there?

A. I went there with Harrison and Hooper who knew the way.

Mr. Gurney. Did Thistlewood and Harrison and you walk home together?

A. Yes, we did.

Q. As you were walking along, did Thistlewood say any thing about the number you had met?

A. Yes, he found himself very much disappointed.

Q. At what?

A. At not finding so great numbers as had been talked of.

Q. Did he say what number he had found at the house he had been at?

A. Not particularly.

Q. Did Harrison say any thing to you?

A. Harrison said they had not got any money to call for any thing to drink, for what little beer we had at the house we were at, we were obliged to pay for ourselves; they had none of them got any.

Q. Did any thing more pass particularly as you walked home?

A. No, nothing particular, except that Harrison said, I told you, you would find yourselves disappointed when you came to call them together; if you were to keep perpetually treating them with drink you would have half Spitalfields come.

Q. On Friday did you meet again in Greystoke-place?

A. Yes, we did.

Q. How many of you?

A. Six.

Mr. Gurney. That according to our reckoning would

be the 8th; did Thistlewood make any communication to you there?

A. Yes; he communicated to us then that Mr. Cosser had called upon him.

Q. About what?

A. About the house.

Q. The house in Seymour-place?

A. Yes; that he did not know whether he would let him have it or not; but he desired young Watson to go down immediately to get the key to get the ingredients in.

Q. He desired young Watson to go and get the key so as to be able to put in the ingredients?

A. Yes.

Q. Did he give any directions to him about paying any money?

A. To go down to Mr. Cosser and to draw upon him for the amount.

Q. For what?

A. For the quarter's rent.

Q. Did any thing then pass about a quarter's rent?

A. He told him to draw a cheque at eight or ten days, for the money that was necessary for the house on going in.

Q. In the evening, did you see young Watson again with the rest of the party?

A. I did.

Q. Did he report that he had been to Mr. Cosser?

A. Yes; he reported that he had been to Mr. Cosser, and that Mr. Cosser made an objection to letting them have it without having a quarter's rent paid in advance, as he thought it was not a house adapted for a business of that kind, being in a new neighbourhood;—that Mr. Cosser thought so.

Q. In consequence of this difficulty, did you proceed in taking the house or not?

A. No, we did not.

Q. On the Sunday after this, did you meet again in Greystoke-place?

A. We did.

Q. All the committee or part?

A. The whole of the committee.

Q. Was any proposition then made by Harrison?

A. Yes; there was a proposition made by Harrison, Harrison said you will be disappointed when you come to call the people together; I would advise you to call a public meeting, and see how many you can collect together then.

Q. What answer was given to this?

A. It was unanimously agreed to.

Q. What place was talked of?

A. Spa-fields; young Watson and Thistlewood went out to look at the ground.

Q. Leaving the rest of you sitting?

A. Yes, leaving us there.

Q. Did they come back to you?

A. They came back and reported that it was a very famous place, as it was so near the Tower and the Bank, that they could get into the town and take them by surprise.

Q. Was it settled how the meeting was to be made known?

A. Yes; Thistlewood says, now Doctor let us draw up a bill.

Q. What sort of a bill?

A. It was written what should be on the hand-bill or placard.

Q. What was to be done with those hand-bills or placards?

A. They were to be distributed; the placards to be stuck up, and the hand-bills to be distributed among the lower order of people, the soldiers and the mechanics, and others out of employment about Petty-France and the Borough, and all about London.

Q. What places were mentioned?

A. In the Borough, amongst all the factories in Petty-France and up at Paddington and Spital-fields.

Q. Among the lower orders of the people?

A. Y es; one day going in one direction, and another day in another.

Q. Did any thing pass about any thing you were to have at the meeting?

A. No.

Q. Any thing about flags and cockades?

A. Not at that time; the bill was drawn up and was read and was unanimously agreed to, and that it was to be put in the Statesman Paper, I think it was called, as soon as it could.

Q. When was the meeting to be?

A. On the 15th, the Friday, I think it was the Statesman Paper, but I am not quite certain.

Q. How many hand-bills and placards were to be printed?

A. There were to be five hundred small ones, and two hundred and fifty large placards to be printed at first out of hand immediately.

Q. Did either of your party go away to get this done?

A. The elder Watson undertook to get them done; that he knew a printer he had formerly lodged with in Fetter-lane, in Gray's-inn-lane.

Q. In Fetter-lane, or Gray's-inn-lane?

A. In Gray's-inn-lane.

Q. Did he go away?

A. He went away and went to this printer.

Q. Did he come back?

A. He came back, and said the printer wanted some money to go on with to purchase the paper; that he wanted a pound note.

Q. Did any person produce any money upon this?

A. Thistlewood produced a ten pound note, and told him to go immediately and give the man some money and to tell him to get the bills printed immediately, and to give me the remainder of the money to pay for the pikes, and to fetch them away.

Q. To give you the remainder of the money?

A. No; to give me as much as he thought would do to pay for the remainder of the bills and the pikes.

Q. Was the printer's name mentioned?

A. It was, I think, but I cannot recollect it.

Q. Do you think you should recollect it if I mentioned it to you?

A. Perhaps I should.

Q. Was it Storer?

A. It was some such name, but I really cannot recollect exactly.

Q. This was Sunday the 10th?

A. Yes, I believe it was.

Q. While Watson was gone, do you recollect any conversation that took place?

A. Not particularly at the present moment I do not, only he was gone some time.

Q. Do you recollect any thing passing about that time about a waggon?

A. Yes; it was asked who could get a waggon.

Q. Who asked?

A. Thistlewood; he did not address himself particularly to me, he said who would undertake to get a waggon.

Q. For what purpose?

A. For the purpose of standing in to deliver a few speeches, which I undertook to do; he asked me what I thought I could get one for, I told him I thought about two pounds or fifty shillings.

Q. Do you remember any thing more material passing at that meeting?

A. Concerning what we should have, that he would have the true tri-coloured green, red, and white, and that his wife should make it; he asked the Doctor what would be the best motto to put upon it.

Q. He asked the prisoner Watson this?

A. Yes, he did.

Q. Did Mr. Watson give him a motto?

A. He took a paper and wrote out what it should be, and in what manner it should be; it was Nature, Truth, and Justice.

Q. Was it the same motto that was upon the flag you afterwards had in Spa-fields?

A. Yes, the very same.

Q. Did any thing more pass that you remember?

A. It was appointed that I should carry the flag, being the strongest.

Q. When you parted, did you make any appointment to meet the next morning?

A. I was desired by Thistlewood to go up to Paddington, and to get half a dozen navigators to come to the Cock in Grafton-street, and to carry these large placards about on their backs, pasted on pasteboard.

Q. Were you to go on that Sunday night?

A. Yes.

Q. Did you go on that Sunday night to Paddington for that purpose?

A. Yes.

Q. Did you appoint any navigators for that purpose?

A. I did.

Q. The next morning, Monday, where did you meet any of your committee?

A. I met them at No. 9, Greystoke-place.

Q. Before that had you met in Kingsgate-street at a coffee-shop?

A. I was to meet young Watson and the elder Watson,

to endeavour to get the money to go to Bentley's and get the pikes that was to be at the coffee-shop in Kingsgate-street, at eight in the morning.

Q. For what purpose was it?

A. To receive the money from the elder Watson to fetch away the pike-heads from Bentley's, and to buy two nail-bags to put them into.

Q. Did you meet the two Watsons, there on the Monday morning.

A. I did.

Q. Did the elder Watson produce any money?

A. He gave his son five one-pound notes to go to Bentley's with me to fetch away the pikes and to take them to his lodgings at Hyde-street.

Mr Wetherell. This was in your presence?

A. Yes, it was.

Mr. Gurney. Did you and young Watson go away together.

A. We did.

Q. Did you purchase any nail bags?

A. Young Watson went to purchase the nail bags while I went to Bentley's to get the bill made out.

Lord Ellenborough. The pikes were with Bentley?

A. Yes.

Mr. Gurney. You had ordered them of Bentley but had not received them?

A. Yes.

Q. How many pikes had he made?

A. Two hundred and fifty, or somewhere thereabouts.

Q. Did he make out a bill?

A. Yes he did.

Q. Did he and you go to any house, or did you go first?

A. I went to Bentley's house first, then Bentley and I

came to a wine vault at the corner of a court leading out of Hart-street into Long Acre.

Q. Did you there meet young Watson?

A. Yes; young Watson came in soon afterwards; he was gone to fetch the nail-bags.

Q. Did he produce the nail-bags?

A. Yes he did.

Q. Where are those wine-vaults?

A. The corner of some alley.

Q. In what street?

A. Leading out of Hart-street into Long Acre, I think it is called Leg-alley, but I am not certain.

Q. You say he produced the nail-bags he had bought?

A. Yes.

Q. Did Bentley produce his bill?

A. Yes, Bentley produced his bill, and I paid him.

Q. Who gave you the money?

A. Young Watson gave me the money in the presence of Bentley; and I paid Bentley.

Q. How much was the money altogether for the pike-heads?

A. Upon my word I cannot exactly say, but I think it was three pound fifteen that was paid after giving me credit for what I had paid before, that was a pound.

Q. Where did you go then for the pikes?

A. Bentley, young Watson, and I, went all together to his cellar, where the pikes were, and we all three assisted in putting the pikes into those bags.

Q. Where did young Watson and you take them to?

A. To Hyde-street Bloomsbury.

Q. To whose lodgings?

A. Young Watson's.

Q. Did they both lodge there?

A. Yes, they both lodged there so far as I know.

Q. Is it the house of Mr. Bannister?

A. It is a shop—it is the parlour they rented.

Mr. Gurney. We shall shew the house.

Mr. Wetherell. Your expression was, for any thing you know; how did you know that he lodged there?

A. I have been there with them.

Mr. Gurney. Where were the pikes deposited?

A. The pikes were deposited under something like a sofa bed or bedstead.

Lord Ellenborough. Was it a bed of some description?

A. It was a bedstead.

Mr. Gurney. Those were the iron parts of the pikes; pike-heads?

A. Yes.

Q. When young Watson and you had done this, did you go to Greystoke-place?

A. Yes we did.

Q. You say that young Watson and you, then went to the commitee in Grey-stoke place?

A. Yes we did.

Q. Did he produce the bill and receipt from Bentley?

A. No, he did not, I did.

Q. To whom?

A. To Thistlewood.

Q. Did he desire you to do any thing with it?

A. He desired me to destroy it, which I did immediately

Q. How did you destroy it?

A. By pulling it to pieces.

Q. Did you and young Watson inform them you had got the pikes?

A. We did.

Q. Were you then sent to the printer's for the bills?

A. The elder Watson and I were.

Q. You and the elder Watson went to the printer's for the bills?

A. We did.

Q. When you came to the printer's what passed?

A. His wife informed us that there was some of them done, but he was not at home.

Q. Did you afterwards see him?

A. We did.

Q. Who was with you?

A. The elder Watson.

Q. What did he say?

A. He said that he had been to some office to make the necessary enquiries; that he was afraid of getting into some trouble by printing them, and had therefore been to some office and had made enquiries whether it was legal to print them or not.

Mr. Justice Bayley. At what place was this?

Mr. Gurney. Was this at the printer's that the elder Watson had been at before?

A. Yes.

Q. Where about is it?

A. About two or three doors from Fleet-market, going down Leather-lane, Fetter-lane I mean.

Q. In Fetter-lane?

A. Yes; the back part of his house opens into a court that runs into Fleet-street.

Q. Fleur de Lis court.

A. I do not know; I believe it is; we went in at the back-door.

Q. What more did the printer state?

A. He stated, that he had sometime before got himself into a difficulty.

Lord Ellenborough. You do not know the name of the printer, do you?

Mr. Gurney. It is the printer we called the first witness, Storer—What did he say.

A. He said that he had got himself into a scrape some-

time before, by printing something, and that he was afraid —that he had got two hundred printed, but that he should destroy them.

Q. Did he produce any of the bills printed?

A He did; he would not let them go out of his own hands.

Q. What was done then?

A. His wife, and several of us, and there was another gentleman with him; there was young Watson came in and joined us, and we wanted to persuade him to let us have them and cut his name off, so that he should not get into any harm, but he would not let us; he said that what he had printed he should destroy, and that we might take away the other paper, which he had wetted, along with us.

Q. Did you and the elder Watson return to Greystoke place?

A. We went to a public house first, and had something to drink: we were to return to him again; he was to go and consult somebody whether we should have them or not.

Q. Did you return to him again?

A. I did not, Watson did; and he brought the paper to me.

Q. Watson brought the paper to you to the public house?

A. Yes.

Q. You found Watson had been to him again, and had not succeeded, and he brought you the paper to the public-house?

A. Yes he did.

Q. Did you carry the paper then to Greystoke place?

A. I did.

Q. And Watson accompanied you?

A. Yes.

Q. That is Watson the elder?

A. Yes.

Q. Did he or you report to the rest of the committee this failure with the printer?

A. Yes.

Q. Upon that, what was resolved on?

A. It was resolved that Watson should go immediately up to one Seal, a printer, in Tottenham-court-road.

Mr. Justice Bayley. Watson the elder?

A. Yes, Watson the elder.

Mr. Gurney. For what purpose?

A. For the purpose of getting, I think, two hundred and fifty worked off immediately, if he paid an extra price for them.

Q. Did he go?

A. Yes he did.

Q. Did he return while you was still sitting?

A. Yes, he did.

Q. What report did he make?

A. He made a report that there should be 850 ready the next day morning at eight o'clock.

Q. This was the Monday before the meeting?

A. Yes, it was.

Q. Did he report any thing about sticking those up?

A. He reported that he had got a man that would stick them up at two shillings and sixpence per hundred.

Lord Ellenborough. Which of the Watsons, the younger, or the elder?

A. The elder. Two shillings and sixpence the smaller ones, and four shillings or four and sixpence the large ones; I am not certain which.

Q. Did any thing pass about any persons to be invited to attend the meeting?

A. Yes.

Q. What?

A. Sir Francis Burdett and Mr. Hunt.

Q. What passed respecting them?

A. There was to be a letter written to invite them to attend.

Mr. Justice Bayley. This was agreed upon at that time?

A. Yes, it was.

Mr. Gurney. Was any letter written while you were together?

A. There was.

Q. By whom?

A. By the elder Watson?

Q. And sent away?

A. Yes.

Q. Was any advertisement written?

A. Yes.

Q. By whom?

A. By the elder Watson.

Q. For what paper?

A. The Statesman; I think it was the Statesman; and money was given for the insertion.

Q. What was done with that advertisement?

A. It was given to young Watson, and money was given to him for its insertion; I think it was seven shillings, by Thistlewood; the first paper that he took it to refused to put it in; I think that was the Times.

Mr. Wetherell. Who was present when this passed?

A. The whole.

Mr. Gurney. Were you to do any thing about getting the bills distributed?

A. Yes.

Q. What were you to do?

A. I was to get the navigators collected together down at the Cock in Grafton street, the next day morning.

Q. What were they to do?

A. They were to have large placards on their backs

pasted on pasteboards, and to go in different directions to distribute them among the manufacturers and the soldiers.

Lord Ellenborough. Were they to distribute the hand-bills and to carry the placards?

A. Yes, to have the placards on their backs, and to give away the hand-bills.

Mr. Gurney. Were you and any body else to see that they did any thing?

A. Yes; we were to see that they did this properly; we were to follow them to see that.

Q. Who were to do that?

A. Me and Harrison and Preston; Harrison was to follow the bill-sticker to see that he stuck them properly, and me and Preston the Paddington men.

Q. Did you appoint the navigators accordingly?

A. I did.

Q. On the next day Tuesday the 12th, did you go to the Cock in the morning?

A. I did.

Q. Were the bills come from Seale's?

A. No, they were not.

Q. Upon that, did you go to Seale's for them?

A. I did; and Hooper with me.

Q. Did you bring any to the Cock?

A. I did.

Q. Placards and bills both?

A. Yes, both.

Q. Did the men come that you engaged?

A. They did.

Lord Ellenborough. The navigators?

A. Yes.

Mr. Gurney. How many?

A. Six, I believe it was.

Q. What did you do with respect to these six?

A. Gave them some bread and cheese and porter.

Q. What did you do with respect to the placards?

A. Thistlewood sent out to purchase some pasteboard?

Q. Thistlewood was there?

A. Yes; the whole of the committee was there; Thistlewood sent out to purchase some pasteboard and string to tie them on their backs.

Mr. Justice Bayley. Sent out or was sent out?

A. Sent out.

Mr. Gurney. Were the placards pasted on the pasteboard?

A. Yes, and tied upon their backs, and then distributed to them as fast as they could be got ready.

Q. They were sent out one by one as fast as they could be got ready?

A. Yes, they were.

Q. Mr. Gurney. Mr. Barlow, will you just shew him the placard?

Mr. Barlow. The larger or the smaller.

Mr. Gurney. The larger?

Mr. Barlow. That is for the second meeting.

Mr. Gurney. I beg pardon, I recollect it is; what orders were given to those people?

A. To walk very slow in the populous parts among the lower orders of the people; they had a shilling each given; they were to stop if they got a crowd round them, and let the people read, and to deliver the small bills out, not to be extravagant with them.

Q. Was any thing said about the sort of people they should give them too.

A. Such as soldiers and the lower orders of mechanics, such as they saw out of employment; to deliver them into the different factories.

Q. I think you say they received a shilling each at starting?

A. They did.

Q. What else were they to have?

A. Another shilling when they returned in the evening.

Q. You say they had had bread and cheese and beer?

A. They had.

Q. Was that to be their only day's work, or were they to work again the next day?

A. They were to meet again the next day; I was to follow them, and they were to return to the Cock in Grafton-street in the evening to receive their other shilling and directions for the next day; three of them, the three that I was to pay; the other three that Preston was to follow, were to meet him at some house in Spital-fields, where they were to receive their orders, and be paid the other shilling.

Q. Did any other person bring any bills or placards from Seal's?

A. Yes; the elder Watson brought some?

Q. But any person not of your committee that you remember?

A. Not that I at this present moment recollect, I did not take any particular notice.

Q. Did you follow the men and see that they obeyed your orders?

A. Yes.

Q. Who with you?

A. Hooper went part of the way with me, we distributed them in different public-houses where they would let us stick them up at the same time.

Q. In the course of your walk?

A. Yes.

Lord Ellenborough. As you have asked to particular placards and papers, I remember there has been evidence given of the contents of one of those placards?

Mr. Gurney. Were those placards for the meeting of Spa-fields on the 15th of November?

A. They were.

Mr. Gurney. Will you shew him one of the small ones for the meeting of the 15th of November. *(It was shewn to the witness.)*

Q. Look to see whether that was one of the small bills?

A. Yes, this is one.

Q. Were the large the same?

A. No, they were not; yes, they were the same in the words though of a larger size.

Mr. Justice Abbott. That was the one produced by Storer I suppose.

Mr. Gurney. No, my Lord; that printed by Seal and Bates; it was calling a meeting in Spa-fields, for the 15th of November, signed by Dyall as chairman, and Preston as secretary?

A. Yes.

Lord Ellenborough. It was read in Seale's evidence?

Mr. Gurney. Yes, it was my Lord.—In the course of your walk did you and Hooper get to Charing-cross?

A. Yes; but I was not at Charing-cross at the time; I went by Charing-cross.

Q. Did you hear Hooper say any thing he had done afterwards?

A. He told me he had jumped over the rails and stuck up one on the pedestal of king Charles, which I afterwards saw there?

Q. Did he tell you whether any person had spoken to him when he was doing it?

A. He told me that he was interrupted by a person that attends the horses and the hackney coaches there, who told him he could get twenty shillings from him, if he thought proper, for getting over.

Q. In the afternoon you met the men and paid them?

A. Yes, I did.

Q. At the Cock?

A. Yes.

Q. Who met there besides you?

A. Harrison, Thistlewood, the elder Watson; they all came there, afterwards the three men came to be paid.

Mr. Justice Bayley. Where was this?

Mr. Gurney. At the Cock, where the pasteboard men came to be paid; the men who had had the placards on their backs; did you go there again on the next day?

A. Yes.

Q. That was Wednesday the 13th?

A. Yes.

Q. Did the navigators come there again?

A. Yes, they did.

Q. They had the placards put upon their backs, and were sent out again.

A. Yes.

Q. Did you appoint the committee to meet that evening in Greystoke-place?

A. Yes, we did.

Q. That Wednesday evening did you all meet, or only part of you?

A. We did not all of us meet in consequence of a quarrel that took place between young Watson and Harrison, he did not met.

Q. Who came and reported that that quarrel had taken place?

A. Young Watson.

Q. Who were present when young Watson made that report?

A. The whole, except Harrison.

Q. There were five of you?

A. Yes.

Q. What did young Watson state to have been that quarrel between him and Harrison?

A. That Harrison had been so over particular, in some cases or other, that they had a serious quarrel in going up to Seale's for the remainder of the bills; and young Watson said "If we had not known you well, I should have thought you a Marplot."

Q. Young Watson told you he had said to him, "if we had not known you well, I should have supposed you were a Marplot"?

A. Yes.

Q. Did young Watson state what answer Harrison had given to it?

A. Harrison told him he was perfectly well convinced that he was so violent that if he did not take care he would bring himself and all the rest into trouble, and that he would withdraw himself; that he would have nothing more to do with it.

Lord Ellenborough. Was that stated in the presence of all the others?

A. Yes.

Mr. Gurney. Watson reported this to you?

A. Yes, he did.

Q. What effect had this report upon your committee?

A. It threw the whole of us into a state of alarm.

Q. What did you resolve upon in consequence?

A. We resolved to meet at another place, but still it was unanimously thought that he would not deceive us, but that we had better have another place of meeting.

Q. What do you mean by, he would not deceive us?

A. That he would not let any person know that there was a secret committee.

Q. That he would not disclose?

A. Yes, that he would not disclose what was intended.

Q. Did you resolve to go on or to stop on any part of the plan you had intended?

A. We resolved to meet late in the evening again; Thistlewood indeed desired me to call on Harrison, and to know the reason why he had withdrawn.

Q. Before you separated, did you appoint any person in Harrison's place upon your committee?

A. Yes.

Q. Whom?

A. Hooper.

Q. What place did you appoint the committee to meet at in the evening?

A. I think it is the Blue Last by Salisbury-square, leading down towards the river.

Q. Down by the water-side, leading down to the river?

A. Yes.

Q. By Salisbury-square, Fleet-street?

A. Yes.

Q. Were you to bring any person with you?

A. I was to bring Hooper with me.

Q. Did you in pursuance of what had been resolved go to Harrison?

A. I did.

Q. Did you afterwards report to the committee what had passed between you and Harrison?

A. I did.

Q. What did pass between you and Harrison; what did you say to him and he to you?

A. When I called on Harrison, I told him that young Watson had reported that he had withdrawn himself, and I wished to know the reason of it.

Q. What did Harrison say?

A. He said he had, and he wished me to withdraw myself, for he was well convinced that young Watson was so

violent, that he would get both himself into trouble and every body else.

Q. Did you then go to the Cock in Grafton-street?

A. Harrison told me he would have nothing more to do with us, neither would he attend the Spa-fields meeting.

Mr. Justice Bayley. He reported this to the committee I suppose.

Mr. Gurney. He has already said that before I asked him to the conversation. Did you meet Hooper at the Cock in Grafton-street?

A. I did.

Q. What did you state to him?

A. I informed him that he was chosen in Harrison's place; he wanted to know the reason.

Q. Chosen what?

A. One of the committee in the place of Harrison; he wanted to know the reason; I told him that young Watson and Harrison had had a quarrel, and that Harrison had turned traitor.

Q. What answer did Hooper give to that?

A. He told me he would not believe it unless he heard it from Harrison; just at that identical moment Harrison came into the Cock; Hooper addressed himself to Harrison, and said Castle has been telling me you have turned traitor: I will not believe it unless I hear it from yourself.

Q. What was said upon that?

A. I told him no, I did not say he had turned traitor, but that I had informed him that young Watson had gone so far as to call him a Mar-plot; upon that, Harrison replied that he had withdrawn, neither should he ever attend the committee any more, nor the meeting.

Q. He confirmed what he had said to you?

A. He did.

Q. Upon this did you and Hooper go to the Blue Last

public-house where you had appointed to meet the committee?

A. Yes, we did.

Q. Did you meet them all there?

A. There were none there when I went in.

Q. Did they come in?

A. Yes; they all did.

Q. Did you stay there or go away?

A. I stopped there some time.

Q. Did you go away afterwards?

A. Yes.

Q. Why did you go away?

A. Because there was not an opportunity of having conversation, the house was so full.

Q. Where did you withdraw to?

A. To No. 9, Greystoke-place.

Q. What room did you go into there?

A. A two-pair back, where there was no window, and no person could overlook us?

Q. Then there were all five of you there, and Hooper?

A. Hooper was the sixth.

Q. What was done with respect to Hooper?

A. Hooper was informed that he was chosen in the place of Harrison, as Harrison had withdrawn himself, and the whole of the plan was explained to him.

Q. Had you then arranged your plan for the Friday?

Mr. Justice Bayley. When he speaks of the plan, was that about the barracks; or what?

Mr. Gurney. When you speak of a plan, do you speak of that respecting the barracks, or for the Friday?

A. The plan for the barracks was then given up; it was respecting the Friday.

Mr. Wetherell. Do I understand you to say, that the plan about the barracks was then given up?

A. Yes; on account of not getting a house.

Mr. Justice Abbott. He had mentioned that before.

Mr. Gurney. Yes, he had, my Lord. Now, what did you say respecting the plan on the Friday?

A. The plan was for us to have met there; the elder Watson, and young Watson, and Preston, were to have addressed the mob from the waggon.

Q. At what period of the meeting were they to address the mob?

A. They were to be there about twelve o'clock, before Hunt came.

Q. At what time was Hunt to be there?

A. Hunt was to be there precisely at one o'clock.

Q. They were to address the mob before Hunt came;—what then?

A. If Thistlewood saw the spirit of the people was ripe and ready to act, he was to jump down from the waggon and lead the people into the Tower.

Mr. Justice Bayley. That he was to jump down?

A. That we were to jump down.

Q. By we, whom do you mean?

A. The whole six.

Mr. Gurney. The committee?

A. Yes; there were six cockades and a flag to be prepared; those cockades were to be hoisted in our hats.

Q. Each of you was to have a cockade in your hats or bosoms?

A. Where we liked to have them, and a flag to be prepared.

Q. Was any thing arranged about what should be done for weapons?

A. Thistlewood said, "if they should chance to call out for weapons, you may tell them we will soon find them weapons."

Q. If they should; you mean if the mob should call out for weapons?

A. Yes.

Q. Where was it said you were to tell them to find weapons?

A. At different gunsmiths shops; there was scarcely a gunsmith's shop in London, but what had been inspected to see what ammunition and so on there was at each.

Mr. Justice Bayley. Was that mentioned at that time?

A. Yes, it was.

Mr. Gurney. They had been inspected to see what?

A. To see how many there were there.

Q. To see what arms there were there?

A. Yes; and what would be the nighest gunsmith's shop to the fields.

Mr. Justice Bayley. To see the situation of shops, or number of shops?

A. The situations of shops and the number of shops, so that we might go directly to them.

Mr. Gurney. Who was it mentioned this circumstance of the gunsmiths' shops having been thus inspected?

A. I cannot exactly remember whether it was the elder Watson or Thistlewood, but it was one or the other.

Q. Was it said what should be done when those arms were got from the gunsmiths' shops?

A. "Immediately go down to the Bank, and take it by surprize."

Q. Was any other place mentioned beside the Bank?

A. The Bank and the Tower.

Q. Was any thing after this plan was stated to Hooper said to him?

A. That if the Bank was taken, it was then stated how we were to proceed, what was to be done.

Q. How?

A. That we were to get all we could at the top of the Bank to barricade it.

Q. How do you mean to get on the top of the Bank?

A. To destroy the soldiers; to defend against them if they should come to attempt to retake it: they were not only to get into the Bank, but into the houses round, and to take up glass bottles, or any thing that would kill a man by the fall; and the different articles, and the whole of the books were to be brought out and to be barricaded; and if it was likely to be re-taken, to set fire to them to do away with the National Debt.

Q. Did your committee meet again the next morning, Thursday, the day before the meeting?

A. Yes, they did.

Q. All six of you?

A. Yes.

Q. Hooper then being one of the six?

A. Yes.

Q. When you speak of the six, we are to understand Hooper instead of Harrison?

A. Yes; Harrison had completely withdrawn himself.

Q. Did you receive any more bills from Seale's that morning?

A. Yes; I believe the remainder were brought?

Q. Were the bills and placards sent out as before?

A. They were. I beg your Lordships pardon, Preston did not meet his men that morning at the Cock, in Grafton-street, he came to fetch the bills; but he met his men at a house in Spital-fields.

Q. In the evening did your committee meet again?

A. They did.

Q. Do you remember where it was?

A. No, I do not; I think it was in Greystoke-place.

Q. Did Thistlewood and Watson make any report to you there respecting Mr. Hunt?

A. Yes, they did; they said they had seen Mr. Hunt at Bouverie-street hotel.

Q. Do you mean Watson, senior?

A. Yes; they had seen Mr. Hunt at the Bouverie-street Hotel, and that he had made some objection, that some alteration was wanted to be made in the petition that was to be read to the people, that he wished to have one of his own.

Q. Did they report any thing more Mr. Hunt had said?

A. That he had had a letter from Sir Francis Burdett?

Q. That, who had?

A. That Mr. Hunt had; that his son was very ill at Brighton, and that he could not attend.

Q. Do you remember any thing more being said at that time from Mr. Hunt?

A. No; I do not remember any thing particular?

Q. Did you agree where to meet the next morning?

A. Yes.

Q. Where?

A. At the Lincolnshire House, by Bouverie-street, down in Whitefriars.

Q. A house called the Lincolnshire House?

A. Yes; I do not know the name of the house.

Q. Is it the Lincoln Castle?

A. I really do not know.

Q. Were you to call at any place in the morning before you went to that house?

A. I was to call at Thistlewood's, to get the colours and the cockades.

Q. Were you to procure any thing for the colours?

A. I was to procure a staff.

Q. When your committee broke up where did you and Thistlewood go to?

Mr. Justice Bayley. This was on the Thursday evening?

Mr. Gurney. Yes, my Lord; the evening before the first Spa-fields meeting?

A. I do not exactly recollect, except that we went to the two houses where the soldiers use.

Q. Do you remember whether you went to Paddington or not?

A. I believe we did; but I am not certain.

Q. Did you go to any houses at all?

A. Yes, I believe we did.

Q. Did you and Thistlewood go together?

A. Yes, we did.

Q. Do you remember any of the houses that you went to?

A. Not exactly; I do not, except that we went to the Nag's Head, in Carnaby Market.

Q. At any of the houses you went to what did you do?

A. To distribute bills, and to invite as many as we could to come to the meeting, and as many as would let us stick them up, we did: I beg your pardon, we went among the soldiers, and distributed some bills amongst them.

Q. Do you mean the soldiers at the the theatre?

A. Yes.

Mr. Wetherell. You had better identify what bills.

Mr. Gurney. Do you mean the bills for the meeting the next day?

A. Yes.

Q. You mean the same bills that had been shewn to you?

A. Yes, we had no other bills.

Q. Was any beer given?

A. Yes, we never went to any house, but we gave beer, if there were any of the working mechanics out of work.

Q. Any people that would accept of it?

A. Yes.

Q. At either of the houses to which you went, did you see a person of the name of Gilling?

A. Yes; he had originally been a sergeant in the Guards; I do not know which regiment; I think the second.

Q. Was conversation held with him?

A. Yes

Q. In the morning of Friday, the 15th of November, did you go to Thistlewood's lodgings in Southampton-buildings?

A. Yes.

Q. Did you see him?

A. Yes.

Q. What did you receive there?

A. I received the colours and six cockades.

Q. From whom?

A. From Mrs. Thistlewood.

Q. In whose presence?

A. In the presence of Mr. Thistlewood and the sen.

Mr. Gurney. Mr. Barlow, have you the large flag, with the inscription?

Mr. Barlow. I have.

Mr. Gurney. *(To the witness.)* Was there any inscription upon it?

A. Yes, there was; the same inscription which Mr. Watson had written.

Q. Is that the flag? *(producing it.)*

A. It is.

Q. Did Thistlewood give you any money at the same time?

A. Yes.

Q. For what purpose?

A. For the purpose of buying a staff.

Q. Did you go and buy a staff?

A. Yes, I did.

Q. Where?

A. On the right-hand side going down Holborn.

Q. Did you then go to this Lincolnshire public house?

A. I did.

Q. Did the committee all meet there?

A. Yes, they did.

Q. Did you distribute the cockades?

A. I did.

Q. Each of you took a cockade?

A. Yes.

Q. Did you altogether go to Spa-fields?

A. No; before we had done that, we found that the staff was not long enough, and Thistlewood desired me to go and see whether I could not get one longer.

Q. Where did you go to?

A. We went to a gentleman that Watson said he knew, who was a carpenter, lower down, close to the water side.

Q. Did you buy one?

A. We did.

Q. Did you bring it back to the public house?

A. Yes.

Q. Was that approved of?

A. Yes, it was.

Q. At about what time did you leave the house to go to Spa-fields?

Q. At about half-past eleven o'Clock, between eleven and twelve.

Q. Who left the house with you?

A. Preston, Hooper, and Thistlewood.

Q. Where were the Watson's?

A. They were at the Bonverie-street Hotel with Hunt.

Q. That you understood?

A. Yes, that I understood.

Q. Was the elder Watson at the Lincolnshire house with you at first?

A. Yes.

Q. He left you then before you went to Spa-Fields?

A. Yes, he went with me to get the staff; and then he left me, telling me he was going to the Bouverie-street Hotel with Hunt and his son.

Q. Was it Watson's son?

A. Yes.

Q. That Hotel is within a hundred yards of this house?

A. Yes, close by it.

Q. What did you carry to Spa-fields?

A. I carried the colours in my bosom, and the staff in my hand.

Q. Did you walk all the way, or take a coach?

A. I walked all the way.

Q. Did you get any coach before you got to the fields?

A. No; there was a coach sent for after we got to the fields.

Q. Whom did you send?

A. A person of the name of Crisp was sent to fetch a coach; and I gave him charge of the staff at the same time.

Q. To what part of the field was the coach first brought?

A. The coach was first brought to the public house, close by the fields; looking into the fields.

Q. Who got into it?

A. Hooper, Preston, and this Crisp; I believe Crisp did not get in, he got on the box.

Q. Had he the staff still?

A. He still had the care of the staff.

Q. Where did the coach drive to?

A. The coach drove up towards the Merlin's Cave.

Q. Were you and Thistlewood at Merlin's Cave together with Hooper and Preston?

A. We met afterwards.

Q. Did you all join afterwards?

A. Yes.

Q. You were, four of your committee, together at the Merlin's Cave?

A. We were.

Q. With whom did the two Watson's come?

A. With Hunt.

Q. Did they walk or come in a carriage?

A. Came in a chariot, I think.

Q. What did Hunt do?

A. He got out, and got on the roof of a chariot.

Mr. Justice Abbott. Do you mean the carriage in which he came?

A. Yes.

Mr. Gurney. Supposing it to be a chariot or coach?

A. Yes.

Q. Where did you get?

A. I got on the box; Thistlewood being sitting on the box before me.

Mr. Justice Abbott. Do you mean that you got on the box of the same carriage in which Mr. Hunt was?

A. Yes.

Mr. Gurney. You mean the carriage in which Mr. Hunt had come?

A. Yes; Thistlewood was on the box, and I got up between him and Mr. Hunt: Mr. Hunt being on the top.

Q. Did you do any thing then with respect to the colours?

A. Thistlewood desired me then to hoist the colours; and I made a motion for the person who was on the other

coach, Crisp, to hand me the staff, and he handed me the staff: I took the colours out of my bosom, and tied them on as I was on the coach.

Q. Was there a very large assembly of people there at that time?

A. Yes, a great quantity.

Q. Round the Merlin's Cave?

A. Yes.

Q. Did Mr. Hunt begin to address this meeting?

A. After some few observations, Mr. Hunt begged to withdraw to the Merlin's Cave.

Q. Did he first begin from that place?

A. Yes, he addressed them from the carriage.

Q. Then it was proposed to withdraw to the house?

A. Yes, to one of their windows facing the fields.

Q. Did Mr. Hunt go into the house?

A. Yes, he did.

Q. Did you and Thistlewood, and others?

A. Thistlewood got down; I handed the colours to some person in the one pair of stairs room.

Q. Did you and Thistlewood, and the Watson's, go into the room up stairs where Mr. Hunt went?

A. Yes; they were in the room up stairs when I went

Q. Who was chosen chairman?

A. A person of the name of Clark, I was given to understand, whom I had never seen before, neither had I heard his name; Dyall, the chairman, was there; but I believe Mr. Hunt named Mr. Clark as chairman.

Q. Mr. Hunt named Clark as chairman?

A. Yes; it was never intended that Dyall should be chairman.

Q. Did Mr. Hunt, from the one pair of stairs window of that house, address the populace?

A. Yes, he did.

Q. After whatever was proposed, did Mr. Hunt propose any adjournment to any time?

A. Yes, he did.

Q. To what time did he propose the meeting should adjourn?

A. To a fortnight after the meeting of parliament, I think.

Q. Upon Mr. Hunt's doing this, did either of your committee say any thing to the others to do any thing else?

A. Yes, Thistlewood desired me to tell young Watson to get Mr. Hunt to move an amendment.

Q. To move an adjournment till what time?

A. To adjourn till Monday fortnight.

Q. Upon this did young Mr. Watson move that amendment?

A. He told Mr. Hunt, and Mr. Hunt moved that amendment.

Q. He proposed it and Mr. Hunt adopted it; how was that?

A. I believe it was so, or young Watson moved the amendment, I am not certain which.

Q. It came from Thistlewood to young Watson, and young Watson either proposed it himself or mentioned it to Mr. Hunt?

A. Yes.

Q. Was it adopted?

A. Is was so, it was unanimously agreed to.

Q. After the business was over, did you all of you quit the Merlin's Cave?

A. We did.

Q. Did you get into the hackney coach?

A. I did.

Q. And who with you?

A. Hooper, the two Watsons, Thistlewood, and myself.

Mr. Justice Bayley. Was Preston one or not?

A. I believe not.

Mr. Gurney. When you had got in was any thing done with respect to your horses?

A. Yes, I shewed the colours out of the window, and the horses were taken off the coach by the populace.

Q. Were you drawn along by the populace?

A. Yes.

Q. Where were you taken to?

A. We had not proceeded many yards before by some means or other, they ran against a wall.

Q. Upon these persons running you against the wall what did you do?

A. We all of us got out and walked.

Q. Where did you walk to?

A. To the Bouverie-street Hotel, where Mr. Hunt was.

Q. When you got there did you find Mr. Hunt?

A. Yes, we did.

Q. Did you dine there together afterwards?

A. Yes.

Q. All your committee?

A. No; all but Preston.

Q. With Mr. Hunt?

A. Yes, with Mr. Hunt.

Q. Did you and the other members of the committee come away together?

A. Me and Hooper came away together.

Q. Did your committee meet again the next morning, Saturday Morning?

A. I am not certain whether we did.

Q. Do you remember how soon after you did next meet?

A. I think it was the Monday following.

Q. Did you meet neither on the Saturday nor the Sunday?

A. I was at Thistlewood's house on the Sunday.

Q. What did you go there for?

A. With the colours, and delivered them to Mrs. Thistlewood.

Q. Was Mr. Thistlewood there?

A. Yes.

Q. Do you remember what Mrs. Thistlewood was doing?

A. Yes, she was folding up newspapers to send into the country.

Q. What newspapers were they?

A. Newspapers with the notice when the meeting was to be called again.

Mr. Wetherell. Did he see that?

Mr. Gurney. Did you see that?

A. Yes, I did.

Mr. Wetherell. I suppose there were such papers?

Mr. Gurney. Oh, yes, a thousand, we can shew them to you, we have them all here. To what kind of places were they directed?

A. To different manufacturing towns, such as Sheffield and Manchester.

Q. Thistlewood directed those papers to different manufacturing towns?

Mr. Wetherell. He has not said that, but the wife.

A. She was folding them up, and he was directing them to those different places; Sheffield, Manchester, and Birmingham, and there was some sent into Lincolnshire, and some into Yorkshire, to a variety of places.

Q. Were they to be sent by the post?

A. Yes, they were.

Mr. Wetherell. Did they contain advertisements for the next meeting?

A. Yes; and the meeting that had taken place.

Mr. Gurney. Do you mean the paper containing the account of the last meeting?

A. Yes, he had sent Watson down to have it put in—young Watson.

Q. When did he send him?

A. On the Saturday.

Q. An account of the meeting on the Friday, and which would contain a notice for the next meeting?

A. Yes.

Mr. Justice Bayley. I think he said that he was present when old Watson sent young Watson with directions to put it into the newspaper.

A. Yes, we were all there present.

Mr. Gurney. At what place was this?

A. At Greystoke-place, on the Saturday; I remember now that we had a meeting on Saturday.

Q. On that Saturday, was any hand bill drawn up for the next meeting?

A. Yes, there was.

Q. At Greystoke-place?

A. Yes.

Q. Who drew it up?

A. The elder Watson.

Mr. Wetherell. What is this?

Mr. Gurney. The hand bill for the next meeting, which we have proved already in part by Seal. Did any thing pass at that meeting about any subscription?

A. Yes.

Q. What was it?

A. There was a paper drawn up.

Q. By whom?

A. By the elder Mr. Watson, that me, and Hooper, and Preston, and the whole of us should go to different people that we thought likely to defray the expences of the next meeting, as the whole of the expences of the last meeting fell on merely one or two individuals.

Mr. Wetherell. You say the paper was drawn up?

A. Yes.

Mr. Gurney. Is this what Watson said at the meeting at which you were present, did Watson propose this, to have the paper drawn up?

A. Yes.

Mr. Wetherell. I understood him to say that a paper was drawn up.

Mr. Gurney. Yes, there was, but that does not obliterate the conversation.

A. There were several papers drawn up, but they did not please.

Mr. Wetherell. I must know where the papers are?

Mr. Gurney. I beg your Lordship's pardon, I am entitled to the conversation.

A. The greater part of the papers were destroyed; all that Thistlewood could find he destroyed, for he was frequently reminding Dr. Watson about writing so much, and having papers so much about him, if any thing should occur that that would be the only thing that would convict him or any of us, at one time in particular——

Lord Ellenborough. What did you say about papers?

Mr. Gurney. Repeat that.

A. He told him to let all the papers be destroyed, for if there were any papers found on any of our persons it would be the only thing to lead to a discovery—once, in particular, Dr. Watson had written a great deal of poetry, and amongst that there were several songs, he did not chance to be in the way at the time, and Thistlewood and myself, looking over the papers, found a great number, which he took and destroyed in my presence.

Q. Look at this advertisement in the Statesman, and see whether that is what Mr. Watson drew up?

A. Yes, it is.

Q. You say young Watson was sent to the Statesman with it?

A. Yes, he was.

Mr. Justice Bayley. Does that agree with what he heard Watson read?

A. Yes it does, I had it in my possession for some time.

A Juryman. Of what date is that paper?

Mr. Gurney. The newspaper is of Wednesday, the 20th of November, we may as well read that now I suppose.

It was read as follows:

"Spa-fields meeting, the 2nd December, 1816.—The expences (which have been considerable) of convening the meeting on the 15th instant, having fallen upon one or two individuals, and as other expences will occur to promote the cause of Parliamentary Reform, and immediately bringing together united ability and integrity to relieve the calamities of the nation.

"Subscriptions for that purpose are received by the Treasurer, Mr. John Hooper, No. 9, Greystoke-place, Fetter-lane.

"THOMAS PRESTON, Secretary."

Mr. Gurney. Did you get some hand bills printed like that?

A. Yes, there were some, or something similar to that.

Q. The next day, Monday, did you and Hooper, and Preston, go about to solicit subscriptions?

A. Yes, we did.

Mr. Wetherell. What day are you upon now?

Mr. Gurney. Monday, the 18th of November. How much did you get?

A. We got about two pounds the first day.

Mr. Wetherell. Did you collect the money; or how do you know that?

Mr. Gurney. He says, he, and Preston, and Hooper, collected.

A. Yes, I was one.

Q. Did you go about the next day?

A. Yes, and every day till the meeting took place.

Q. To whom was the money which you collected paid over?

A. To the elder Mr. Watson.

Q. In whose presence?

A. In the presence of the whole of us.

Q. In the presence of the whole of your committee?

A. Yes.

Q. In the course of this time, between the first meeting and the second, did you and the younger Watson go to any places?

A. Yes.

Q. To look to any gun-smiths' shops for instance?

A. Yes, we did.

Mr. Wetherell. That is, rather leading him.

Mr. Serjeant Copley. That is so very material a fact.

Mr. Justice Bayley. For what purpose he went may be asked.

A. We went to see the gun-smiths' shops, whereabouts they were placed, and particularly down about the Tower; the different gun wharfs, and those gentlemen that served the different ships, ship-brokers I believe they called them.

Mr. Gurney. Ship-brokers or chandlers?

A. Ships' brokers, I think, those that supply the ships with ball, canister, and grape.

Q. On how many different days do you think you and young Watson did this?

A. Five or six different days.

Q. Did you look at any other shops than the gun-smiths and the ship chandlers?

A. Yes; in particular we looked at two shops in the Minories; two or three shops.

Q. Of what particular description?

A. Gun-smith's.

Q. Did you look at any other description of shops?

A. Yes; oil shops, and where there was any kind of combustibles or turpentine, or spirits of wine, or any thing of that kind.

Q. To whom did you make your reports?

A. To Thistlewood.

Q. Did you meet daily in committee?

A. Yes; regularly, and communicated every night what was done.

Q. Towards the close of the month, do you remember calling on a person of the name of Keenes?

A. Perfectly well.

Q. Who called with you?

A. Dr. Watson.

Q. The elder?

A. Yes; they both called with me at different times on Keenes.

Mr. Gurney. Your lordship will forgive me, I have passed over something. Before that did you go with Thistlewood to any place near the Tower, or to the Tower?

A. Yes, I went to the Tower.

Q. Who went with you?

A. Thistlewood.

Mr. Wetherell. I really must object to this, where did you go to? is the question; not whether he went to an oil-shop, and so on.

Lord Ellenborough. If that was the only question we should never get to an end, what passed there must be left to the witness.

Mr. Wetherell. It is not common to lead the accomplice in this manner, who is supposed to know every thing.

Mr. Gurney. Indeed it is the common question.

Lord Ellenborough. How can he guess what you are aiming at so as to give his evidence?

Mr. Wetherell. It is not putting an answer into his mouth, merely asking whether he went there.

Mr. Gurney. You say you went to the Tower with Thistlewood?

A. I did.

Q. To what part of the Tower did you go?

A. We walked all round the Tower, and then we went into the Tower, to one of the taps which the soldiers use.

Q. What did you do there?

A. Gave the soldiers some beer.

Q. Did you converse with them?

A. I did, and gave them some bills.

Q. What bills?

A. Bills of the meeting, for the second meeting in Spa-fields.

Mr. Gurney. Mr. Barlow will you show him the small bill for the second meeting in Spa-fields?

Mr. Barlow. I have no small one: it is only a large one that is given in.

Mr. Gurney. They are just the same, but look at that as I have one here.

A. This was one of them.

Mr. Gurney. Will you look at that, and see whether it is the same as the large?

(*It was read over, and found to agree with the large one*)

Q. You distributed to the soldiers some of those bills?

A. Yes.

Q. And gave them drink?

A. Yes.

Q. Did you have any conversation with the soldiers?

A. Not any thing particular.

Mr. Wetherell. I wish to see whether the two bills are precisely the same.

Mr. Barlow. There is a variation of *in* and *under*; one is, "in these times," and the other, "under these times," and the printer's address is not set out precisely in the same way.

Mr. Gurney. Did you go to the Tower more than once?

A. Yes.

Q. How many times?

A. Three or four times.

Q. I mean between the first meeting in Spa-fields and the second?

A. Yes.

Q. Did you go alone, or in company.

A. No; I went with young Watson, I was never but once with Thistlewood.

Q. You have given me an account of what passed when Thistlewood went with you; when you went with young Watson did you carry any bills then?

A. Yes, we had bills then.

Q. Did you give the bills amongst the soldiers?

A. Yes; and distributed a great many in the Tower.

Q. Had you bills every time you went?

A. Yes.

Q. And you distributed them in the Tower?

A. Yes; and round, beyond the Tower, down towards Blackwall, all along the water-side.

Q. Upon either of those occasions, when you went with young Watson, did you show the soldiers any thing besides the bills?

A. Yes; I showed them the colours and the cockade.

Q. The cockades you have spoken of?

A. Yes; red, white, and green.

Q. Did you do that once, or more than once?

A. Twice.

A. Juryman. Was that in one of the taps?

A. Yes it was.

Q. How many soldiers were present?

A. About half a dozen; there were a number kept coming in and out at the time.

Mr. Gurney. Did you and young Watson converse with the soldiers?

A. Yes.

Q. What was the nature of your conversation?

A. We asked them whether they would like to work for a master that would give them double wages, or be as they are.

Q. Do you remember any other things you or young Watson said to them?

A. No: further than that we asked them, whether they would sooner fight for a big loaf or a little one.

A Juryman. Were those kind of questions spoken aloud, so that they could be heard all over the tap-room?

A. No; not all over the tap-room, but so as to be heard by those I spoke of.

Q. Not in a whispering tampering manner?

A. No.

Q. How many do you suppose heard them?

A. Three or four, we gave them drink.

Mr. Gurney. Was this addressed to the persons you gave drink to.

A. Yes,

Lord Ellenborough. So that the persons with whom you were conversing and drinking might hear?

A. Yes, they might hear.

Mr. Gurney. Did they give answers to what you said?

A. Yes.

Q. What answer did they give about a big loaf or a little one?

A. They said they all wanted a big loaf.

Q. Was your committee meeting daily?

A. Yes; once or twice a day, we met every night to give a report.

Q. Did you at those meetings discuss your plans?

A. Yes.

Q. At either of those meetings was any thing said by either of the party, about any use to be made of young women?

A. Yes.

Mr. Justice Abbott. Before you come to that I want to know whether, when the committee met, any report was made of those communications with the soldiers?

Mr. Gurney. After you had been to the Tower on these occasions, did you and young Watson report to the committee what you had said and done?

A. Yes, and every place we had been to; and how we found the spirit of the people: every thing was reported regularly.

Q. You were going to tell me that something passed at one of the committee meetings about young women, who proposed that?

A. Either Thistlewood or the elder Watson proposed, if we could get a couple of hundred young women together and dress them in white, for them to carry small flags and cockades, or if we could raise sufficient money, to dress them all alike.

Mr. Justice Bayley. Did you say small flags *and* cockades, or, *or* cockades?

A. And cockades.

Mr. Gurney. For what purpose?

A. For the purpose of walking the first, in order to take off the attention of the soldiers, so that they should not ride over us, and to give us time to address them.

Lord Ellenborough. That they might not ride over the mob?

Mr. Gurney. That they might not ride over the party you were to have?

Mr. Wetherell. Let him explain what he means by us.

Mr. Gurney. What do you mean by us?

A. I meant the committee that were to head the mob.

Mr. Gurney. Now, my Lord, I will come back to what I was about to go to; you say you recollect calling upon Keenes at one time with the elder Watson, and at another time with the younger?

A. Yes.

Q. For what purpose?

A. He was chairman of the Nag's-Head society of Spencean.

Q. Did you and Watson request him to do any thing before the meeting?

A. Yes; we asked him how long it would take him to make us, every one of us, a great coat; six great coats.

Q. For the committee?

A. Yes.

Q. Any other preparation for the meeting do you remember with him?

A. We asked him to attend, when he was invited to dine with us at No. 1, Dean-street.

Q. At this time who lodged at No. 1, Dean-street?

A. Doctor Watson had taken a lodging there for one week only, for fear we should be discovered and detected, being at Greystoke-place so long.

Q. You asked Keenes to come and dine there with you?

A. Yes, we did.

Mr. Justice Abbott. Is this Dean-street, Fetter-lane?

Mr. Gurney. Yes, my Lord; it is very nearly opposite Greystoke-place. In the last week in November, did you go over the Bridge to any place?

A. Yes.

Q. With whom?

A. With Thistlewood.

Q. Over which Bridge did you go?

A. We went over London Bridge.

Q. Where did you go to?

A. Into the New Cut: no, I beg your pardon, it was over Blackfriars Bridge.

Q. That is the road, from Blackfriars Road to the Marsh Gate at Westminster?

A. Yes.

Q. For what purpose did you go there?

A. We went there for the purpose of hiring a waggon or a stage.

Q. For what purpose?

A. To deliver the speeches from at the Spa-fields meeting.

Mr. Wetherell. You do not give us the date of this?

Mr. Gurney. The last week in November; we shall give you the date more accurately, perhaps:—Did you find a man who had a stage?

A. We found a man who said he had a mountebank stage to sell.

Q. What did he ask for it?

A. I think it was eight pounds.

Q. Did you see the carriage?

A. We did.; it was at some distance away, at the back of the workhouse: he sent a man to shew it us.

Q. What did Thistlewood say, on his offering to sell it for eight pounds?

A. Thistlewood offered two pounds for the loan of it for a few hours; the man said he never let any thing out.

Q. What reply did Thistlewood make to that?

A. Thistlewood said he might send a man to take care of it; it would not be broken.

Q. Did he say any thing more about it?

A. Yes; the man would not let it go, unless he had the money.

Q. Did Thistlewood say any thing more?

A. Yes; that in a very little while he would be very glad to give up the whole of his carriages, of which he had a great quantity, for nothing.

Q. What did the man say?

A. The man said he could not help it; he should not let him have it unless he had security; if he bought it he might do as he pleased with it.

Q. Did you go to any other place to try to get any thing?

A. We went to several places.

Q. At last did you go alone to get any thing?

A. He and I went to Richardson's.

Q. Did you afterwards hear from any person where you could get a waggon?

A. I was desired by Thistlewood to get a waggon; and I went down to Westminster to a person of the name of Ware, whom I had known for some years, and he recommended me to a man in Horseferry-road.

Q. Do you remember his name?

A. Windermude, or some such a name as that.

Q. In consequence of his recommendation, did you apply to Windermude?

A. I did; I went to the Ship public house, and sent for Windermude there.

Q. What did you apply to him for?

A. For a waggon.

Q. For what purpose?

A. To deliver a few speeches from in Spa-fields.

Q. What price did he ask for it?

A. Three pounds; and three shillings the boy was to have for cleaning the waggon out.

Q. Did you agree?

A. I agreed to let him know the next day following, whether I would take it or not.

Q. Did you see Thistlewood that evening?

A. I did.

Q. Did you report to him what you had done?

A. I did.

Q. Did he approve of what you had done?

A. He did.

Q. Did he direct you what to do?

A. He asked me why I had not engaged it? I told him

I was to let the man know the next day; he told me to go and take it, as I had a part of the money belonging to the committee; I was to pay a deposit out of it.

Q. Did you do so?

A. I did.

Q. On Friday, the 29th of November, did you and young Watson go together anywhere?

A. Yes.

Q. That was the Friday before the second of December, when the meeting was to be held:—Did you, among other places, go into the Strand?

A. Yes; and to Exeter-change; and down to the Savoy.

Q. For what purpose did you go to Exeter-change?

A. For the purpose of seeing what pistols, guns, and sabres, there were hanging up, and at the gun-smith's shop opposite.

Q. Did you look at any other shops in the Strand besides the shop opposite?

A. Yes.

Q. Of what kind?

A. Both oil shops and others; but one shop in particular that had got a great number of swords and pistols, and large carving knives.

Q. Did you go to the Horse Guards.

A. Yes, we did.

Q. Into what place?

A. Into the Tap; the Canteen they call it.

Mr. Justice Bayley. He said he went to the Savoy.

Mr. Gurney. Where did you go to at the Savoy?

A. Among the people working on the new Bridge.

Q. Did any thing particular pass with them?

A. No further than delivering out the Bills to them, inviting them all to come; and the same at the Fox under the Hill.

Q. Then you say you went to the Tap or Canteen, at the Horse Guards?

A. Yes; I do not know which they call it.

Q. Did you see any soldiers there?

A. Yes.

Q. Did either Watson or you say any thing to them?

A. Yes, we did; we asked them whether they had heard any news?

Lord Ellenborough. Which of you spoke?

A. Watson.

Q. Watson, the younger?

A. Yes.

Mr. Gurney. Did he explain what he meant by news?

A. A soldier wanted to know what news; he told him there were fifty thousand Russians coming, and that there were thirty thousand of them landed at Woolwich.

Q. What answer did any of the soldiers give to that?

A. One of the soldiers said he could not think they had sent for any Russians; for if they could not depend upon them, they could very soon dispatch them.

Q. That he did not think they; who do you mean by *they?*

A. Government; that he did not think that the government had sent for the Russians; for if they could not depend upon them, they could very soon dispatch the Russians, for they would not suffer them to *predomineer* over them.

Q. Did any thing more pass?

A. Very soon after the trumpet sounded, when they were going to relieve guard; and that life-guards-man went away.

Q. As you were coming out, did you meet with any artilleryman?

A. Yes; we met with an artilleryman, dressed in blue, who said he was going down to Woolwich; we got into

conversation with him, and asked him whether they had got any orders for Monday next.

Q. If the artillery at Woolwich had orders for Monday next?

A. Yes; and if they had heard of the meeting.

Q. What answer did the artilleryman give?

A. He replied no.

Q. That they had no orders?

A. Yes.

Q. Did either you or Watson give him any thing?

A. I gave him some bills myself.

Q. For the meeting on Monday.

A. Yes, and desired him to distribute them amongst his companions when he got to Woolwich.

Q. Did you and Watson then go to Ware's?

A. Yes.

Mr. Justice Bayley. Have the goodness to ask him whether they paid for any liquor at the Canteen.

Mr. Gurney. Did you treat the soldiers with any thing at all?

A. No, we did not; I was drinking gin and water, and asked one of the soldiers to drink with me, and he refused it.

Q. Where does Ware live?

A. In a street here in Westminster, looking out of the Horseferry-road, close by the Chapel; close by Chapel-street.

Q. Did you find at Ware's any serjeant of the guards?

A. Yes.

Q. Did you and young Watson, and the serjeant, and Ware, go to any place?

A. We went to a public house close by, and drank two or three pots of ale.

Q. Who paid for it?

A. We all paid alike.

Q. Did you converse with the serjeant on any thing?

A. We began some little conversation with him concerning the meeting, but he seemed to be a man that did not wish to hear any thing on the subject, and so we did not pursue it further; we left some bills with Ware, and he stuck a large one up in his shop.

Q. A placard?

A. Yes.

Q. To what place did Watson and you then go?

A. We then went down to the Ship, in Horseferry-road.

Q. Is that kept by Mr. Wheatley?

A. I do not know the man.

Q. Whom did you send for there?

A. We sent for Windermude.

Q. The owner of the waggon.

A. Yes, whom I had seen the night before.

Q. When Windermude came, what did you or young Watson do?

A. I agreed to take the waggon, and I gave him a one pound note to pay the deposit, and he gave me back ten shillings; I do not know whether I gave the note to him or to the landlord.

Q. Ten shillings was in one way or other left with him as a deposit?

A. Yes.

Q. Did you appoint with him when you should come again?

A. I did.

Q. At what time did you tell him you should come again?

A. I told him I should come again on the Sunday night to tell him what hour, and where the waggon should be.

Q. To give him directions as to time and place?

A. Yes.

Q. Did either of you produce any ribbon in this house?

A. That was on the Sunday night afterwards.

Q. I will come to that by and by. After young Watson and you left Windermude's, did you go together to any smith's?

A. Yes.

Q. Where was that?

A. Over the water; Mosely, or some such name.

Q. Was it Maudsley?

A. Yes, that was the name; I think it was something like that.

Q. Did you go to any public-house near that manufactory?

A. Yes, we did.

Q. Do you know the sign?

A. No; but it was where the men of that manufactory generally come to get their victuals.

Q. Do you know the name of the man who keeps it?

A. No; I do not.

Mr. Justice Bayley. Then they did not go to Maudsley's, but to the public house near it?

Mr. Gurney. Yes, my Lord:—How many working men did you find?

A. Eight or ten at their dinner; but not all belonging to that manufactory.

Q. What passed with those men?

A. We distributed bills with them, and desired them to attend the meeting, and they subscribed among themselves twelve and sixpence; I believe it was.

Q. Did they subscribe at that time, or had you received their subscription before?

A. We had received that subscription before young Watson and me called.

Q. You invited them to come to the meeting, and gave them your bills?

A. Yes.

Q. Did any of them promise to come?

A. They did.

Q. Did you that afternoon, or evening, go to No. 1, Dean-street, Fetter-lane, to Watson's lodgings?

A. Yes.

Q. Whom did you see there?

A. There was there the two Watsons, Hooper, Preston, Thistlewood, and myself.

Q. All the committee?

A. Yes; they were all there.

Q. Did you and young Watson report what you had done respecting the waggon?

A. Yes.

Q. Was it approved of?

A. Yes; very much.

Q. While you were there, did any weaver come to the house?

A. Yes; not at No. 1, Dean-street: but at No. 9 the weaver came—the weaver did not know any thing of No. 1, Dean-street.

Q. You went over to No. 9, Greystoke-place;

A. There was perpetually one or other over there to receive messages, and so on.

Q. While you were there the weaver came?

A. Yes.

Q. What did he bring?

A. Some ribbon.

Q. Of what colour?

A. Green, red, and white.

Q. Who paid him?

A. Watson, I believe.

Q. Do you remember how much he paid him?

A. Something more than two pounds, at tenpence a yard.

Q. Had you any of it?

A. I had.

Q. How much?

A. Three or four yards.

Q. On the morning of Saturday, the 30th, did your committee meet again?

A. Yes.

Q. At what place?

A. At No. 1, Dean-street.

Q. What did you resolve to do then?

A. Thistlewood said, what are we to do for arms—where shall we get pistols?

Q. Was any thing wanted besides pistols?

A. Pistols and sabres, or short dirks.

Q. What answer was given by either of your party to that?

A. Young Watson said he would go and purchase some, as he was going out; he was going towards the Tower.

Q. Was any money given to him for that purpose?

A. Five pounds was given him.

Q. By whom?

A. By Thistlewood.

Q. Was any direction given him as to the number he should buy?

A. Yes; Thistlewood said we should want only half-a-dozen pair—a pair a piece for each of us; for if we got the best of it for two hours we should have arms and ammunition, and every thing we wanted.

Q. Did you then separate?

A. We did.

Q. For what purpose?

A. To go our different rounds.

Q. Which way were you to go?

A. Hooper and myself were to go up towards Paddington amongst the navigators.

Q. What to do with them?

A. To invite them to come to the meeting.

Q. To the meeting on Monday.

A. Yes.

Q. Had you bills with you?

A. Yes; and we distributed bills as we went along.

Q. As you were going along the Edgeware-road, did you observe any pistols?

A. As we were coming back again.

Q. You saw the navigators and came back?

Mr Wetherell. He has not said that.

Mr. Gurney. Did you see the navigators?

A. Yes; we did.

Mr. Wetherell. It will be important to ask, to what houses he went? because navigators is a large term.

A. We went to the same houses as we went to before.

Mr. Wetherell. He has not told us the houses?

Lord Ellenborough. You may ask him on the cross-examination.

Mr. Gurney. What passed between you and them?

A. We gave them bills, and instructed them to come on the Monday as large a body as they could.

Q. To come to Spa-fields?

A. Yes.

Q. Did they promise to come?

A. A great many of them did.

Q. In your return down Edgeware-road, you observed a pair of pistols?

A. Yes, I did, brass-barrelled ones, which I asked the price of.

Q. At what shop?

A. Mr. Flint; I think his name is: it is at a sale shop, and he kept a pawnbroker's shop a little lower down.

Q. Were they hanging in the window?

A. They were hanging outside the door.

Q. Was any price marked upon them?

A. No; there was not.

Q. Did you ask the price of them?

A. Yes; they asked me five-and-twenty shillings.

Q. Young Watson was with you at this time?

A. No; Hooper.

Q. Did you bid any price for them?

A. I bid him eighteen shillings, which he agreed to take.

Q. Did you leave a deposit for them?

Yes; I left a deposit of two shillings.

Mr. Gurney. Your Lordship will find they were afterwards bought by another person:—Did you return?

A. I returned to Dean-street.

Q. Whom did you find there?

A. Thistlewood, the two Watsons, Preston, and Keenes.

Q. You and Hooper, and Keenes and Thistlewood, the two Watsons, and Preston, made the committee?

A. Yes; that was the first time that Keenes was ever there.

Q. What did you observe to be lying on the table?

A. A couple or three pair of pistols; I do not know which.

Q. How was young Watson employing himself?

A. Making bullets; casting bullets in a mould he had purchased for the purpose, of the size of the pistols.

Q. Did you enquire what the pistols had been bought for?

A. Young Watson wished me to look at them.

Q. Was the price marked?

A. Not just then; he asked me how much I thought he had given for them? Young Watson said he had given, I think, twenty eight shillings a pair; I am not quite certain as to the price.

Q. What did you say to it?

A. I replied that I thought I had bought a better pair than either of them for eighteen shillings.

Q. What did Thistlewood say upon that?

A. I told him I had got no money; I had left a deposit of two shillings for them.

Q. Did you tell them of any other pistols?

A. I told them I had seen another pair that I thought I could buy much cheaper.

Q. Where was that?

A. At the same shop.

Q. Flint's?

A. Yes; he gave me two one-pound notes, and desired me to go back and purchase them; to pay for the pair I had purchased and the other.

Q. At this time were there any other arms lying on the table?

A. Yes; there was a short sword and a dirk stick, which I had seen in the possession of Doctor Watson before.

Mr. Gurney. Mr. Barlow, will you have the goodness to shew the stick Miell produced this morning? *(It was produced.)*

Mr. Gurney. Was that the sort of stick?

A. It was just such a dirk stick as this; I cannot say whether this is the identical stick or not; it was a stick similar to this.

Mr. Wetherell. Can that be evidence?

Lord Ellenborough. If there is any objection to the question, mention it.

Mr. Gurney. Was any thing said about any arms to be found any where else?

A. Yes.

Q. What?

A. There was a sword and two shorter ones at the house of a man of the name of Stacy.

Q. Were you sent there?

A. I was desired to call there and bring them.

Q. Did you go to Stacy's and buy them?

A. I did.

Q. Did you bring them to Greystoke-place?

A. No; I brought them to Dean-street.

Q. How many?

A. A long sword and a short one, and one brace of pistols; a brass-barrelled pair of pistols: I brought two away, and left one behind me, and paid him a one pound note, and left ten shillings unpaid.

Q. After this did you go to Edgeware-road?

A. I did.

Q. What did you do at Flint's in Edgeware-road; did you pay the remainder of the money?

A. I paid the remainder of the money; I paid a cracked half-guinea, on which he made a remark.

Q. Did you get those pistols?

A. I had the pistols; the brass-barrelled pistols.

Q. Did you then agree with him for any other pistols?

A. I agreed to give him twelve shillings for another pair; one of them was broken in the guard.

Q. Did you pay him the twelve shillings, or leave a deposit?

A. I left a deposit of two shillings, not having the money to pay the whole.

Q. And you brought away the brass-barrelled pistols?

A. Yes.

Mr. Attorney General. I beg your Lordship's pardon for interrupting the proceedings of the Court; but seeing the Sheriff in Court, I really think it is my duty to tell him, in consequence of papers that have been distributed about the Hall, (and if it becomes his duty, he will be willing to discharge it) it becomes his duty to be extremely cautious in keeping the peace. I hope nobody will suppose I interfere improperly.

Lord Ellenborough. Would you have the paper com-

municated. (*A paper was produced to his Lordship, containing the following words: "Britons arise, no poverty in a plentiful country."*)

Mr. Gurney. You say you brought away the brass-barrelled ones, and took them and the sword to Dean-street?

A. I did.

Q. Did you inform Thistlewood of what you had done respecting the other pistols, for which you had left a deposit of two shillings?

A. I did.

Q. What did he do?

A. He gave me another pound note, and desired me to fetch them the next day morning.

Q. Was Watson the elder there?

A. He was.

Q. Did he tell you of any news he had heard?

A. Yes, he did; he said we have got brave news—his son James had brought him news, he could bring fifteen thousand men himself.

Lord Ellenborough. Was this in the morning or the evening?

A. The evening of Saturday.

Mr. Gurney. Did he say he had heard any other news?

A. He had also heard where there were fifty thousand stand of arms belonging to the East or West India Company; I cannot say which.

Q. Upon this did Mr. Thistlewood say any thing?

A. He said, oh! we must alter our plans.

Q. What did he say they should do?

A. That young Watson should go down to Wapping, and Preston to Spitalfields.

Q. When?

A. On the Monday morning early.

Q. The day of the meeting?

A. Yes.

Q. What were they to do?

A. Preston was to go to Spitalfields, and get as many as he could, as he said he could get as many as fifteen thousand.

Mr. Justice Abbott. Was Preston there, and said so?

A. Yes, he was.

Mr. Gurney. What did Thistlewood say they should do?

A. That they should go down early in the morning; and as soon as they could collect all their confidential men together, they were to meet at different public houses, and they were to give them the hint what was to be done; or make them captains, just as they thought proper.

Mr. Justice Bayley. He said they were to go early in the morning?

A. Yes; to collect all their confidentials altogether.

Mr. Gurney. And they were to make them captains, or give them a hint what was to be done?

A. Yes; young Watson says, "Sir, but all the old soldiers want commissions; what are we to do with them?" Thistlewood replied, "you must do the best you can with them; for we must all fight, and hard, till we get the best of it."

Q. Did Thistlewood tell you where you were to go to?

A. Yes; he did.

Q. To what place?

A. I was to go to London Bridge, and there I was to meet the smiths, as I was the best known to the greatest part of them; and the greater part of them were to come prepared with some weapon or other.

Lord Ellenborough. You are a smith; are you?

A. I am.

Mr. Wetherell. Did you say you were, or are?

A. I am.

Mr. Gurney. When you met the smiths, what were you to do with them?

A. I was to collect all I could together, and proceed to Tower-hill, where I was to be met by young Watson.

Q. And when you got to Tower-hill, and were met by young Watson, what were you to do?

A. We were to attack the Tower, we were to get all the arms we could; and if they would not let us in by soliciting it of them, we were to take it by storm, if we could: but there were several that knew us, that had seen us before; and we thought we should get in without any difficulty.

Q. Was it said what you were to say to the soldiers to induce them to let you in?

A. We were to offer them an hundred guineas as soon as they joined us, or double pay for life, which they chose to take.

Q. Was any thing done with the pistols which you had?

A. Yes; they were loaded.

Q. At this time where were the colours and the cockades?

A. The colours and the cockades were at that time in Thistlewood's possession.

Q. Where were they brought to?

A. To Greystoke-place.

Q. On what day—do you remember?

A. On the Sunday, I think; I think I did not receive them till the Sunday.

Q. Do you remember any thing being done on that Saturday respecting a piece of calico?

A. Yes.

Q. What was that?

A. It was got ready, and the frame was made for it to to be wrote on.

Q. A frame was made?

A. For some calico to be put on, and something to be put on it; an inscription.

Q. Who was to write the inscription?

A. Doctor Watson, the elder.

Mr. Justice Abbot. He was to write upon the calico?

Mr. Gurney. How was he to put it upon the calico; did you understand?

A. With pencil, in red letters.

Q. He was in some way to impress the letters upon the calico; did he mention to you what inscription he would put upon it?

A. Yes; I saw the inscription.

Q. What was it?

A. The brave soldiers are our friends, treat them kindly; or something similar to that. They are our brothers; I believe that was it.

Q. Did he say what effect that would have; or whether it would have any effect?

A. He said it would have great impression upon the minds of the soldiers.

Q. Did he take the calico home?

A. He took it to No. 1, Dean Street.

Q. You were at this time at Greystoke-place?

A. Yes.

Q. When you went from Greystoke-place that evening, did you take any thing with you?

A. Yes: I took the brass barrelled pistols with me which I had purchased.

Q. What did Hooper take with him?

A. A brace of pistols which young Watson had purchased; which I had been told he had purchased.

Q. Which had been produced at the meeting as his purchase?

Q. Yes.

Q. Now the next day, Sunday, the first of December, did you go to the pawnbrokers for the other pair of pistols?

A. I did.

Q. And get them?

A. I did: I paid the remaining ten shillings for them, and brought them away.

Q. Did you, on that Sunday, go to No. 1, Dean-street?

A. I did.

Q. Did you take any person with you?

A. I did: one Richard Angel, whom I lodged with at that time. No: I beg your pardon, I did not lodge with him.

Q. Had you employed him for any thing?

A. Yes.

Q. What had you employed him for?

A. To make a staff for the flag, and gave him three shillings.

Q. What did you invite him for?

A. To take a little dinner.

Q. To go and dine with you there?

A. Yes.

Q. When you arrived at No. 1, Dean-street, did you find young Watson there?

A. I did.

Q. Did you give him the pistols you had brought from Edgware-road?

A. I did; and he put them in a cupboard.

Q. Did you do it openly or privately?

A. I did it privately, so that I do not suppose Angel saw me.

Q. And young Watson put them into a cupboard?

A. Yes.

Q. What was the party which sat down to dinner?

A. There was Hooper, Preston, the two Watsons, and Angel.

Q. Was Keenes there?

A. Keenes did not come while it was nearly one, but he did come and dine there.

Q. While you were at dinner did Thistlewood come in?

A. He was in.

Q. Did he sit down with you?

A. No, he did not.

Mr. Justice Abbott. The persons who sat down to dinner were Hooper, Preston, two Watsons, Angel, Keenes, and yourself?

A. Yes.

Mr. Gurney. You say Thistlewood did not sit down to dinner with you; did he mention any reason why?

A. He said his dinner would be ready at four o'clock, that he was going to have the two Evans's to dine with him.

Q. What was the hour you were dining at?

A. It was one o'clock.

Q. After you had dined, were you called by any person out of the room?

A. I was called out by young Watson and Thistlewood both.

Q. To what place?

A. Into the yard.

Q. At the back of the house?

A. At the back of the house.

Q. What did either of them say to you?

A. Young Watson says: "Damn your blood what do you bring this stranger for, how do you know but what you have brought him here to betray us."

Mr. Wetherell. Watson said this to you?

A. Young Watson.

Mr. Gurney. For bringing Angel there?

A. Yes.

Lord Ellenborough. I take it for granted a great man-

ber of these things will turn out to be material, they have occupied a vast deal of time.

Mr. Gurney. I should hope they will, my Lord.

Mr. Justice Bayley. Angel is not present at the time of this conversation.

Mr. Gurney. No; but I think your lordship will find the materiality of these movements.

Mr. Justice Bayley. The materialty of this conversation between the parties.

Mr. Gurney. You will find an act done upon it.

Lord Ellenborough. Angel did not see the pistols.

Mr. Gurney. No, my lord. After Watson had spoken angrily about your bringing Angel there, did Thistlewood say any thing to you?

A. He desired I would go and get rid of him as soon as I could, as I knew we had only got that afternoon to arrange our plans.

Q. Did you, in consequence of that, get Angel away?

A. I did: and then I was to return to No. 9, Greystoke-place.

Q. You took Angel away to what place?

A. I took Angel away to a little public house, and there I left him, after being with him about half-an-hour

Q. After leaving him did you go to Greystoke-place?

A. I did.

Q. Did you meet the committee there?

A. I did.

Mr. Justice Abbott. All of them?

A. No; all excepting young Watson and Preston.

Mr. Gurney. You met the elder Watson?

A. Thistlewood, Keenes, Hooper, and the elder Watson.

Q. Keenes was not on the committee?

A. He was not on the committee, but he then knew the whole of the concern.

Q. And he was admitted?

A. Yes.

Q. What passed when you met?

A. They gave me a reprimand for bringing a stranger there.

Q. After reprimanding you for bringing a stranger there, what was done?

A. It was pretty nigh four o'clock, and Thistlewood had to go to his dinner.

Q. What was done before you parted?

A. The arms were all produced, at least the remainder of them; I had got mine, and Hooper had got his.

Q. What arms?

A. The pistols and sabres, and they were divided among us, and likewise the colours and cockades were given to me.

Q. Do you mean the flag and the cockades that had been left at Thistlewood's?

A. Yes; about half a dozen cockades that were made small to give away to any persons we thought proper. Of ribbon they were made.

Q. Did Thistlewood stay till you had made all your plans, and then go away?

A. The plans were pretty well made when he came back.

Q. When he returned, were you then all the committee?

A. Young Watson and Preston was away, but the remainder was there.

Q. Was Keenes there?

A. Yes; and he had one of the pistols which I had brought away with a broken guard on Sunday morning, which was given to him.

Q. Were your plans arranged for Monday morning?

A. Yes; they were.

Q. Was that the plan which had been talked of the day before, or a different plan?

A. It was the same plan that we had talked of the day before, only where we were to meet on Monday morning, and the roads that Thistlewood and Watson were to take were quite in a different direction.

Q. What road were they to take?

A. They were to go from the waggon which was to be at the top of Chancery-lane.

Q. Thistlewood, and which Watson?

A. Thistlewood and the elder Watson, and Keenes, and Preston. I beg your pardon, Preston was to go somewhere else; it was agreed I should go, and he gave me two one pound notes to go to pay the remainder for the waggon, for which Hooper and me were sent.

Q. Hooper and you were to go and pay the remainder for the waggon?

A. Yes.

Q. But for the next morning the arrangement was, that the elder Watson and Keenes should proceed to Spa-fields, from where?

A. From the top of Chancery-lane, where the waggon was to be waiting for them; and the colours and the banner were to be put into the waggon, and Hooper was to have the charge of them.

Q. Who gave you the money to go and pay the remainder of the hire for the waggon?

A. Thistlewood.

Q. At the time he gave you that, and gave you the directions, do you remember what he said?

A. He told me where I was to tell the man to go?

Q. Did he say any thing about what he was to do the next day?

A. Not at the present moment I do not remember, only concerning if he found that the spirit of the people was ripe.

he should jump down after an address from the waggon to the people; he should jump down and take them away, before Hunt came to the room.

Mr. Wetherell. That was said to you individually?

A. No, it was young Watson, and Watson the elder, and Preston, who had speeches ready for the purpose.

Q. They had speeches prepared?

A. Yes.

Q. That had been said?

A. Yes, and the elder Watson was to be there.

Mr. Wetherell. If the speeches were prepared we must know what they were.

Mr. Gurney. He had speeches prepared?

A. Yes; and there was one, something relating to the Lord Mayor.

Q. They said they had speeches prepared.

Mr. Justice Bayley. When was it he said that, and who was present?

Mr. Gurney. Who was present?

A. Keenes, Thistlewood, the elder Watson, Hooper, and myself; the younger Watson, and the others were away, they were gone where they had got their orders to go, amongst the different people they had been to.

Mr. Justice Bayley. Was it at that time he said any thing about the spirit of the people?

A. It was.

Mr. Gurney. Thistlewood said, if he found the spirit of the people ripe?

A. Yes: after some speeches had been delivered from the waggon by the elder Watson, he would then jump down and head them.

Q. And I think you added before Mr. Hunt came?

A. Yes.

Q. Was it arranged then where you should meet next morning?

A. Yes it was.

Q. At what place?

A. At the Black Dog, Drury-lane, kept by one Slater, I believe his name is.

Q. At what time?

A. At eight o'clock in the morning precisely.

Q. Who were to meet there the next morning?

A. There was Hooper, Keenes, Thistlewood, the elder Watson, and myself.

Q. Did you then go to Windermude?

A. I did.

Q. Who went with you?

A. Hooper.

Q. Did you go to his house, or to a public house by it?

A. We went to the Ship.

Q. Did he come to you?

A. He did.

Q. Did you pay him the money?

A. Yes.

Q. How much?

A. I paid him two pounds more, in addition to the ten shillings I had given him.

Q. Where did you appoint the waggon?

A. At the top of Chancery-lane.

Lord Ellenborough. Did it come accordingly?

A. It did.

Mr. Gurney. Did you produce any ribbons at that house that night?

A. I did.

Q. Did you give any to any person?

A. I did.

Q. To whom?

A. I gave Windermude a bit, and about a yard to the servant of the house, the servant maid.

Q. Was any thing said to Windermude about using the ribbon about the waggon or horses?

A. I do not know there was any thing particular about using them to the waggon and horses.

Q. Did he object to it?

Lord Ellenborough. Can this be material?

Mr. Gurney. We thought it would be confirmed.

Lord Ellenborough. It may be confirmed by Windermude and the servant.

Mr. Gurney. We shall call him and the servant. The next morning, the second of December, did you go to the Black Dog?

A. I did.

Q. Who did you find there?

A. Thistlewood, the elder Watson, Hooper, and Keenes.

Q. Did you enquire for Young Watson and Preston?

A. Yes; I was told why did I ask that when I knew the evening before that they were directed to go early in the morning to collect all the men they possibly could, the one to the Minories, and the other to Spitalfields.

Q. Were any pistols produced there?

A. Yes there were.

Q. What was done with them?

A. I was desired, by Preston, to take them loaded; I believe there were three.

Q. Did Thistlewood give any directions what you should do?

A. He gave me directions that I should go and give the colours to Hooper?

Q. Was any use to be made of any of the pistols?

A. Yes; he said if any magistrate or officer were to interrupt, they were to take and shoot them, or run them through with the weapons we had; that we did not mind the civil power if we could only keep off the horse-soldiers.

Q. Had you any ammunition?

A. Yes, there was something like an old stocking put.

Lord Ellenborough. Did you say horse-soldiers, or the soldiers?

A. The horse-soldiers;—there were probably sixty or seventy or more bullets put into an old stocking.

Mr. Gurney. What was done with that?

A. It was tied up in a dirty old white handkerchief, with a cannister of powder, and given to Keenes to carry to the waggon.

Q. Did you and Hooper then proceed to the top of Chancery-lane?

A. We did.

Q. Did you find the waggon there?

A. Yes; and Windermude and his two boys.

Q. After finding him there, did you go to your lodgings for the flag?

A. I did; and Hooper went with me.

Q. Did you put it upon the staff?

A. I tied it upon the staff.

Q. Where did you bring it to?

A. I brought it to the waggon, and deposited it in the waggon myself, and gave it in charge to Hooper.

Q. Was it opened or covered?

A. It was rolled up so that no person could perceive what it was.

Q. Rolled round the staff?

A. Yes.

Q. After leaving it in the waggon in charge of Hooper, did you go any where else?

A. Yes; I called at No. 1, Dean-street, and there I found Keenes wrapping up the banner.

Q. In what?

A. In a couple of old blankets.

Q. Was the banner then on a frame or a pole?

A. It was not on a pole then.

Q. The calico was stretched on a frame?

A. The canvas was stretched on a frame.

Q. Did you take that to the waggon?

A. I left him to take that to the waggon. I did not see any thing more of it then.

Q. Where did you go, then?

A. I then went where I was ordered, to London-bridge, in order to meet the smiths.

Q. When you got to London-bridge, did you find the smiths there?

A. I did not. I found every thing perfectly quiet there, and no person that I knew.

Q. Where did you next go to?

A. Then I proceeded down Thames-street towards Tower-hill.

Q. You went to the Tower?

A. I did.

Q. Did you find the gates shut?

A. Yes; and an extra sentry on.

Q. Where did you go next?

A. I went up to the soldier there.

Q. Had you some conversation with him?

Mr. Wetherell. I have no objection to it.

Mr. Gurney. I have no objection, except consuming time. What passed with the soldier?

A. I went up to the soldier and asked him the reason of the gates being shut up, he said it was on account of the meeting.

Q. Did you go then to the Minories?

A. I went right up the Minories.

Q. Where then?

A. Up towards the Bank; there I found some difficulty in getting in.

Q. On account of the people there?

A. No; but that they were very particular in letting people in.

Q. The gates were shut?

A. Yes.

Q. Did you go on to Little Britain, near Smithfield?

A. I did.

Mr. Justice Abbott. That he went to East Smithfield?

Mr. Gurney. No, my Lord; he went to Little Britain, near West Smithfield.—Did you there see any mob?

A. Yes; I heard the shouting when I got there, and saw the mob; the first persons that I saw amongst them were Thistlewood and Doctor Watson.

Q. Did you ask them any question?

A. I asked him where his son James and the rest of them were.

Q. What answer did the elder Mr. Watson make?

A. He said, to the Tower, Jack, to the Tower; make haste or we shall be too late.

Q. Did they go on?

A. They went on; and in the course of a very little while, I lost sight of them: a great quantity of people were running in every direction.

Q, Which way did they go?

A. Towards the Tower; towards Lad-lane.

Q. That would be in the way either to the Exchange, the Tower, or the Bank?

A. Yes; it was in that direction.

Q. How soon did any others in the party come up with you?

A. I saw Keenes in the course of a very little time afterwards.

Q. I forgot to ask you, whether Mr. Watson had any thing in his hand at the time you met him?

A. Yes, he had his dirk-stick; but it was not drawn.

Q. Did you and Keenes go on together?

A. We did.

Q. Did you get into Cheapside?

A. We did.

Q, I suppose you then conversed with Keenes about what had taken place at Spa-fields?

A. Yes, I did; he told me he had been in the waggon, and he was afraid he had left the blanket and balls in the waggon.

Q. Did he tell you what had become of their standard?

A. No, he did not. I did not ask him.

Q. As you and he were going along Cheapside, did you meet any person going to Spa-fields?

A. We met Mr. Hunt going in the direction for Spa-fields.

Q. Did Keenes and you stop him? How was he, in a carriage or how?

A. He was in his tandem.

Q. Did either of you stop him?

A. I stopped him, and asked him the reason that he was so late; he asked me what was the matter; I told him I understood that young Watson had taken away a part of the men, and was going to attack the Tower.

Lord Ellenborough. This has two objections; it is not evidence, and it is not material.

Mr. Gurney. Did you look at the clock?

A. Yes.

Q. What time was it?

A. A quarter before one.

Q. What was the time he was to be there?

A. One o'clock.

Q. Did you go on towards the Tower?

A. We went on down Mark-lane, and stopped to have something to drink at a public-house.

Q. Did you, in your way through the city, see young Watson?

A. No, not in my way down; on my return I saw young Watson close to the Bank, at the back of the Exchange.

Q. You were at this time before him?

A. I was a long way before him; I returned and met him at the Exchange.

Q. Was the mob with him?

A. The mob was with him.

Q. What had he in his hand?

A. He had a sword drawn.

Q. What was he doing?

A. He was encouraging the mob to follow him; and great numbers were firing in the air; there might be about two hundred men and boys; they had guns and pistols.

Q. Did he then proceed?

A. Yes.

Q. Which way did he then go?

A. He went towards Bishopsgate-street; I went with them into Bishopsgate-street; then he turned to the left and I to the right.

Q. Did he go towards the Minories, or any other way?

A. He turned down Bishopsgate-street.

Q. That would lead to Houndsditch?

A. Yes; and I turned to the right with Keanes, and went by the India House, and met him at the top of Houndsditch.

Q. When they got to the Minories, who was at the head of them?

A. Young Watson; he went to a shop a door or two down the Minories.

Q. What shop was that?

A. A gunsmith's, which he and I had looked at before.

Q. Was the shop open or shut?

A. It was shut very close.

Q. What did he do?

A. He rapped very violently, and could not gain ad-

mittance; upon that some of the mob said there was another gunsmith's lower down; he told them to follow him; he said he knew where there was another gunsmith's shop.

Q. Did they go lower down?

A. They did.

Q. What was done there?

A. The shop was broken open.

Q. What was done?

A. All the arms brought out; such as guns, pikes, swords, and pistols.

Q. While this was being done, was young Watson with them?

A. He was standing close by the door, encouraging of them to bring out the arms.

Q. Did you then see this Mr. Watson among them; the elder Mr. Watson?

A. I did; and Thistlewood and Preston both.

Q. What had the elder Mr. Watson in his hand?

A. A dirk-stick drawn; the dirk in one hand, and the remaining part of the stick in the other hand.

Q. What had Thistlewood in his hand?

A. A pistol.

Q. Preston, you say, was there also?

A. Yes; but I did not notice whether he had any arms in his hand or not.

Q. Was Keenes there?

A. He was there at a distance; he did not come to take any active part whatever.

Q. Did you see young Watson in the gunsmith's shop?

A. I did; I saw him come out; he had then got a fresh sword, a white belt and buckle on; and a sword drawn in his hand.

Q. Did the mob go on then to any other gunsmith's further on?

A. They did to another gunsmith's on the right-hand side.

Q. Nearer to Tower-hill?

A. Yes; that was broken open.

Q. What was brought out there?

A. There were too small brass field-pieces; a great quantity of guns, swords, pistols, and ammunition.

Lord Ellenborough. Do you know the name of this gunsmith's?

A. No, I do not.

Mr. Justice Bayley. How far from Tower-hill?

A. It is close by; within a door or two; I believe it is on the hill; it almost faces Petticoat-lane.

Lord Ellenborough. By the description yesterday, one should suppose it to be Rea's.

Mr. Gurney. Yes, my Lord; I suppose it to be so.—At the time this was going on at this former gunsmith's, was Mr. Watson the elder there?

A. Yes.

Q. And the younger?

A. Yes.

Q. Who else?

A. Thistlewood, and Preston, and Keenes. I did not see any more at all.

Q. Were there any sailors among the mob?

A. Yes, there were; one sailor in particular.

Q. Did any persons give any directions to the sailors to do any thing?

A. Yes, to load the pieces.

Q. Who?

A. Both the elder Watson and the younger called out to save the ammunition for something better; not to fire it away in wasts?

Q. To whom was this said?

A. To the mob; they were firing in the air at the time.

Q. Did any of the sailors do any thing respecting those field-pieces?

A. One of them began sponging it and loading it.

Q. Did any person direct him to do so?

A. I will not be positive to say.

Q. Did you then see any person go towards the Tower?

A. Yes, I did.

Q. Whom?

A. Thistlewood and the elder Watson, as close to the rails almost as they could get.

Q. What did they, or either of them appear to you to do?

A. They seemed to be addressing themselves to the soldiers.

Q. The soldiers; where?

A. Without the walls of the Tower.

Q. You mean across the ditch?

A. Yes; across the ditch.

Q. Were you near enough to hear what they said?

A. I was not near enough to hear distinctly what the conversation was.

Q. Did they then return to the Minories?

A. Yes, they returned up the Minories.

Q. Did the mob and they proceed together up to the Minories?

A. Yes, to go to Spa-fields to get a greater force, as the soldiers did not seem to take any notice of them.

A Juryman. How near were you to them as you could not hear them?

A. Very probably thirty or forty yards.

Mr. Gurney. Were you behind them, or how?

A. I was behind them.

A Juryman. Was there much noise at the time?

A. Yes, a great hallooing; I could not distinctly hear what it was.

Mr. Gurney. That noise was near you, I suppose?

Mr. Wetherell. I beg your pardon, that is not proper.

Mr. Gurney. The first intimation is quite sufficient; I have been very careful to avoid objection. Where was this noise?

A. It was on the hill; I was in the midst of it.

Q. How far were you from this gunsmith's shop?

A. Not above twenty yards.

Q. How was Thistlewood dressed on that day?

A. He had got a long great coat, a blue coat, white pantaloons, and top boots; a long brown great coat.

Q. Pantaloons and top boots?

A. No, not pantaloons; white small cloathes and top boots.

A Juryman. Were you near enough to see which was speaking?

A. Both of them.

Q. Both at the same time?

A. Both of them were addressing the soldiers.

Q. How is it possible you can answer that when their backs were towards you, and you say you could not hear them?

A. I could see them very plainly.

Q. But you could not see their visage with their back towards you?

A. Their back was not towards me; it was like sideways.

Q. Was there any assemblage of people round them?

A. A great quantity.

Q. At the time they were addressing the soldiers?

A. No; the mob was ten or fifteen yards from them.

Q. Were they surrounded by any persons?

A. Very few indeed; they stept forward before the mob towards the rails.

Q. When they advanced from the mob, did you hear them invite the mob to follow them?

A. No; they addressed the soldiers.

Q. Did you see what number of soldiers there were upon the parapet at that time?

A. Yes, very few; I suppose there were not more than forty or fifty at this time.

Q. Could you see forty or fifty?

A. Yes.

Mr. Gurney. You say they then returned, going up the Minories?

A. Yes.

Q. In going up the Minories, did any thing take place?

A. Yes; one of the wheels of the small field-piece came off.

Q. When you got near the top of the Minories, what happened?

A. Young Watson stopped them, and wished them to form themselves.

Q. That was when the field-piece broke?

A. Yes.

Q. What happened then?

A. We got within a little distance of the top of the Minories, and then thirty or forty horse-soldiers made their appearance.

Q. Upon the horse-soldiers making their appearance, what did the mob do?

A. The greater part of the mob threw down their arms and ran away.

Q. What did you do?

A. I walked forwards till the soldiers had passed me with a great many hundreds of people.

Q. You walked forwards, as if you had nothing to do with it?

A. Yes, I did, till the soldiers had passed me.

Q. After that, where did you go to?

A. I returned back again.

Q. Where did you go to?

A. I turned down towards Tower-hill.

Q. Did you go into any public-house?

A. Yes; I went towards Mark-lane, and went to a public-house and stopt till nearly dark.

Q. Having stopt till nearly dark, did you go to No. 1, Dean-street?

A. I did.

Q. At about what time did you arrive there?

A. It might be about six, or half-past six o'clock.

Q. Whom did you find there?

A. I found there the two Watsons, Preston, and Thistlewood.

Q. After you arrived there, did the elder Watson begin doing any thing?

A. When I arrived there, the elder Watson had got a dirk-stick in his hand.

Q. Did he begin doing any thing?

A. Yes; he began packing up his linen, as if they were going away.

Q. Did you enquire where they were going to?

A. I did.

Q. Who answered you?

A. Thistlewood.

Q. What did he say?

A. He said they were going a little way into the country, as they had got a house there to issue from in the course of a day or two.

Q. Did you enquire after any of the party that were absent?

A. I did.

Q. After whom did you enquire?

A. I enquired what had become of Hooper.

Q. Who told you?

A. Thistlewood; he said he was taken with the colours, and some of us must expect to be taken.

Q. Did Thistlewood say any more?

A. He asked me whether I had shot my pistols off.

Q. Did he say any thing more about the day?

A. Yes; he said they were going a little way in the country and we should hear from them in a day or two, at the Red Hart, Shoe-lane, in the name of John Williams. I asked them if they had shot their pistols off, and whether they had shot any body; young Watson said he did not know.

Q. Was any thing said about the Tower?

A. Thistlewood said he was perfectly well satisfied now that the people were not ripe enough to act.

Q. What more did he say?

A. Nothing particular that I recollect at the present moment; a very little while afterwards the two Watsons and he went away.

Q. You told me before that something was said about the Tower. What was said about the Tower, or the soldiers there?

A. I do not recollect any thing particular.

Q. Very well. Then the two Watsons and he went away together?

A. They did.

Q. At about what time was this?

A. At about seven, or half-past six; I cannot exactly say; I stopt in the public-house while nearly dark.

Q. What was done with the things that were in the house, besides what Watson took away?

A. The key was left with Preston's daughter for her to fetch them away to No. 9, Greystoke-place.

Q. The key of Dean-street was left with Preston's daughter?

A. Yes, it was.

Lord Ellenborough. Mr. Wetherell, I would put to you, whether you would chuse to begin your cross-examination now?

Mr. Wetherell. I am quite sure that your Lordships will perceive my cross-examination must run out into considerable length. As this witness is described in the list of witnesses to come out of custody, it may, perhaps, not be an usual request that I might make, that he should have no access till he is cross-examined to-morrow morning to any person whatever, except his gaoler and his guard. He is described in the list of witnesses to come out of custody, consequently I submit, with great humility to your Lordships, that it is a very proper request that he should have no opportunity of seeing notes of what passed, nor have any opportunity of conferring with any person whatever who has been present; and that no written paper or note whatever should be shewn to him. And after what has passed, I think I do not make to your Lordships an improper or unreasonable request.

Lord Ellenborough. I wish you should have the power of examining him to-morrow under the same circumstances as he is examined to day; but it is not usual to make a rule upon this subject, therefore I rather wish you should address yourself to the Attorney-General. Do not understand that the application made to you about chusing whether you will go on now or to-morrow morning; was from any other reason than a view to your personal accommodation and to due attention to your case; I am ready to go on now with perfect satisfaction.

Mr. Wetherell. I will take the liberty of putting a few questions to him then now.

Mr. Attorney-General. My Lord, I am sure it will be precisely the same, whether Mr. Wetherell proceeds now to cross-examine this witness, or whether he proceeds to-morrow morning. But I should think, with great deference to your Lordship, if he continues his cross-examination to-morrow morning, he should begin it to-morrow morning; as far as relates to there being no access to his person, as far as by any possibility that can be enforced by directions, I will undertake that no person shall have access to him, and that he shall not receive any written paper or notes. Beyond all doubt, as far as I can enforce that (and I believe those orders will be obeyed) it shall be done.

Lord Ellenborough. I have no doubt of it.

Mr. Attorney-General. It certainly shall. I will give the most peremptory directions.

Lord Ellenborough. I rather believe that the Attorney-General is right in insisting, that if you begin with your cross-examination you should finish it.

Mr. Wetherell. In answer to the Attorney-General's argument, I would submit that as your Lordships lay down the rule of sitting till six or eight, if my examination should proceed longer than that time, it is not to be supposed that I should not be permitted to resume it to-morrow morning, as my friend Mr. Gurney's examination has taken up already eight or nine hours.

Lord Ellenborough. Certainly; you shall not be prejudiced.

Mr. Justice Bayley. This is very near our time of adjourning.

Lord Ellenborough. I rather think that the Attorney-General is right in saying, if you begin you should go through.

Mr. Wetherell. That would occupy the night, my Lord.

Lord Ellenborough. Well, we must furnish what bodily strength we can.

Mr. Wetherell. I shall be very ready to go on for a quarter of an hour, or half an hour.

Lord Ellenborough. With respect to the person who is under examination, it is our duty to see that he is enabled to get through in a proper state of body; not to totally exhausted, as to be unfit to give his evidence. I certainly never remember so long an examination on any trial.

Mr. Wetherell. My Lord, I will postpone—

Lord Ellenborough. You are master of our time, Mr. Wetherell; you shall be welcome to do as you please.

Mr. Wetherell. After the fatigue the Jury have sustained, that consideration, among many others, would operate upon me, as well as the fatigue your Lordships have undergone; probably some of the Jury, who have put questions upon certain parts, would wish to repeat them, or to propose others.

Mr. Gurney. That is very unusual indeed, until after all the counsel have done—

Mr. Wetherell. Under all the circumstances, I think it will be best for me to request of your Lordship to begin the cross-examination to-morrow.

Mr. Attorney General. I do assure your Lordship, that every possible direction shall be given, that no person shall have access to the witness.

Lord Ellenborough. I have no doubt of it; and I thought it best that it should be an application to yourself, than that a rule should be laid down by the Court, which might furnish a precedent in other cases, which might be improper.

A Juryman. My Lord, we are desirous of being at liberty

to take a short airing round the place where we are; at six o'clock in the morning, with the officers.

Lord Ellenborough. I shall be very glad to do any thing for your ease and accommodation.

A Juryman. I am afraid, if we are confined in the house and in the Court, your Lordship's time will be taken up in a very different way, for some of us will need a doctor; it is not our wish to go out of the company of the officers.

Lord Ellenborough. No, I understand you perfectly.

A Juryman. If your Lordship pleases, in the Park.

Mr. Justice Abbott. We will not at present say where.

Lord Ellenborough. I will give directions to afford you such accommodation as consistently with keeping you apart from all persons, will effect your purposes.

A Juryman. We are perfectly satisfied; we are obliged to your Lordship.

[*Four Officers were sworn to attend the Jury.*]

Mr. Wetherell. May I request of your Lordship, that some person may be sworn to prevent access by writing, or by person, with this witness?

Lord Ellenborough. That would be doing that which I think I have no right to do. You must rest satisfied with the pledged honour of the Attorney General, that he will take such means as he can.

Mr. Wetherell. I merely have to request, then, that the Attorney General will permit some person to be appointed to watch him.

Mr. Attorney General. What can I say more than that the most positive directions shall be given?

Lord Ellenborough. The man is a prisoner now. If you have any mistrust, or any uneasiness upon the subject

of access to this man, I will sit here whatever may be the hour of the night or the morning, to take his cross-examination.

Mr. Wetherell. After what has passed with my learned friend, I have not the least.

Lord Ellenborough. I think you may be more sure, from the pledge that is given you, than any orders which may be given.

Mr. Justice Abbott. You may ask the question in the morning, whether there has been any communication.

Mr. Serjeant Copley. We are perfectly satisfied, my Lord, on the communication we have had.

Mr. Justice Abbott. I had no doubt you would be.

Lord Ellenborough. We will proceed at nine o'clock to-morrow morning, gentlemen.

COURT OF KING'S BENCH.

Thursday 12th June 1817.

[*James Watson was set to the bar, and Arthur Thistlewood, John Hooper, and Thomas Preston, in the seats immediately behind.*]

John Castle, called again.

Cross-examined by Mr. Wetherell.

Q. ARE you the John Castle lately abiding at the house of Richard Angel, in Princes-row, Newport-market, in the county of Middlesex, now a prisoner in Tothill Fields Bridewell, in the same county, whitesmith; is that your description?

A. Yes.

Q. Since you were yesterday examined in court, have you conversed with any person, and whom?

A. With no person whatever.

Q. Attend to the question; have you conversed with any person, and with whom, upon any question put to you in this case yesterday?

A. I have not.

Q. Have you read or seen any paper written or printed, relating to the subjects which passed in this court yesterday?

A. I have not.

Q. You are described to be a prisoner in Tothill Fields Bridewell; how long have you been a prisoner in that custody?

A. Since the 9th of February, I believe.

Q. Upon what charge are you committed there?

A. Upon High Treason.

Q. Upon the same High Treason as the prisoner Watson is tried for?

A. I was.

Q. Do you recollect the precise day of your commitment?

A. It was on Sunday, I believe; Sunday the 9th, to the best of my recollection.

Q. Sunday the 9th of February?

A. I believe it was.

Q. Had you been in any other custody prior to your commitment to Tothill Fields Bridewell?

A. Not on this charge, I had not.

Q. When were you first arrested upon this charge?

A. On the Sunday morning, the 9th.

Q. That was the 9th of February?

A. It was.

Q. Have you had a promise of pardon in consideration of your giving evidence against the prisoner Watson?

A. I never wanted any pardon; I have never committed any thing to want any pardon.

Q. Not any thing that wanted a pardon?

A. No.

Q. That is not an answer to my question,—have you had a pardon promised to you, whether you wanted it or not?

A. I wanted no pardon; I have had a question put to me, whether I have been ever committed or ever tried for any thing.

Q. Have you had a pardon promised you, in consequence of your disclosing the truth upon this trial?

A. I have not.

Q. By no one?

A. By no one.

Q. You said, you did not want a pardon upon this Treason; explain to these gentlemen what you mean by that?

A. I have never committed any thing which requires a pardon; I have never committed any thing but what all the country knows of, and what I shall be able to give your Lordships and all the gentlemen of the jury an account of; therefore I challenge you, Sir, to bring all you can against me.

Q. You have committed no Treason?

A. I said no such thing—if you will permit me to recollect myself, I will answer any question you may put to me.

Q. Explain to the gentlemen what you meant by saying, you wanted no pardon in the matter now in question?

Mr. Justice Abbott. He has not said upon the matter now in question.

Mr. Wetherell. The question was put with reference to the matter now before the jury.—Explain what you meant by saying you wanted no pardon?

A. I was not referring to the present charge of High Treason, I was referring to other things that I dare say you are in possession of.

Q. I am in possession of a great many?

A. I shall be able to give you a satisfactory answer as to them.

Q. Then you meant to say you did not want a pardon, not for this but for other matters?

A. I had no pardon offered me, neither did I know that the High Treason was withdrawn, not till such time as my evidence was taken before their Lordships; the moment I was brought to the Secretary of State's office, I communicated every thing to their Lordships.

Q. Do you mean to say, that before that or after that, no *offer of pardon* was made to you; look to those gentlemen?

A. No, there never was.

Q. Neither directly nor indirectly?

A. No, neither directly nor indirectly.

Q. You have alluded to the Secretary of State; did you say you would communicate every thing you knew, without an offer being made to you of pardon?

A. I did; there was never any offer of the sort proposed to me.

Q. Do you mean to say, that the subject of pardon has not been mentioned to you in any way?

A. Yes, since.

Q. Tell us what has happened since?

A. No further than Mr. Nodder was the person that first informed me.

Q. Who is Mr. Nodder?

A. Mr. Nodder, in whose custody I am; he was the first that communicated to me that the charge of High Treason was withdrawn; and I heard nothing of it from the Secretary of State, or any person that I have communicated with.

Q. If the charge was withdrawn, why were not you released out of custody?

A. That I do not know.

Q. You never applied to be discharged out of custody?

A. I did not.

Q. You have never applied to be released, though the charge against you was withdrawn?

A. I have not.

Q. Why are you kept in custody now, and why do you come out of custody?

A. That it is not in my power to explain; I never asked the question, nor it was never put to me why I was kept there.

Q. Have you been since your confinement in close custody in Tothill Fields Bridewell, or have you been walking about this town with an officer?

A. I have been out with an officer.

Q. When walking about with the officer, have you chanced to call on any of the persons who have been examined upon this trial as witnesses?

A. I do not know who have been examined.

Q. Do you know a person of the name of Bentley?

A. Perfectly well.

Q. Does it so happen, that since you have been in custody, you have been with a sheriff's officer to that man's house?

A. Never; nor have I spoken to him. Seen him I have.

Q. Have you not been to his house?

A. I have not.

Q. But you have talked to him?

A. No, I have not; I chanced to see him when I was going into the grand jury room, by accident.

Q. Which grand jury room?

A. Just round here.

Q. Did you speak to him?

A. No, I did not.

Q. Where did you go to in the custody of the officer?

A. To the different public-houses where I had been originally.

Q. You went round with an officer to the different public-houses, an account of which you have given?

A. Yes.

Q. Did you go to the public-house near Drury-lane?

A. Yes.

Q. Did you go to Greystoke Place?

A. No, I did not.

Q. Did you go to the public-house called Raisdell's, or Randall's?

A. Yes, we did.

Q. You could not find it out, I believe?

A. Yes, I did; I did not want to search it out.

Q. Did you go to the public-houses at Paddington where you saw the navigators?

A. Yes, I did.

Q. How many?

A. Two.

Q. Did you go to the Canteen, as you call it, at the Horse Guards?

A. No.

Q. Did you happen, in the course of your walks, to meet with a person of the name of Crisp?

A. Yes, I did.

Q. I mean the Mr. Crisp who is not to appear as a witness here?

A. Yes, I know who you mean.

Q. I mean the brother of the Mr. Crisp, whose name appears upon the list of witnesses?

A. The brother of Mr. Crisp.

Q. Had you any conversation with him?

A. No, I saw him by accident.

Mr. Justice Abbott. What is his name?

A. George Crisp.

Mr. Wetherell. Did you tell him the situation you were in?

A. No, I did not.

Q. Did not he see you with the officer?

A. Yes, he did.

Q. Did not he know from circumstances that you were in custody?

A. I cannot say.

Q. Did not he see the officer with you?

A. He saw a person with me; I do not know that he knew he was an officer.

Q. Did not he know you were in custody?

A. Upon my word, I mean upon my oath, I do not know that he did; he did not take any notice to me that he knew he was an officer.

Q. Did you tell Mr. Crisp, that if he went to Bow-street it might be convenient?

A. I told him I wanted to see his brother; but if he went to Bow-street, and inquired for Mr. Stafford, Mr. Stafford wanted to ask him about a petition that he wrote; that he was employed by me and Dr. Watson to write.

Mr. Justice Bayley. A petition which you and Watson wanted him to copy?

A. Which he did copy.

Lord Ellenborough. You said, that Mr. Stafford would see him?

A. That Mr. Stafford would speak to his brother, if he went to Bow-street.

Mr. Wetherell. Did you desire George Crisp to communicate this to John Crisp?

A. I did, to endeavour to find him.

Q. Is Mr. Stafford the gentleman who is clerk or officer in the police office?

A. Yes, he is.

Q. Had any one desired you to send Mr. Crisp to Mr. Stafford?

A. No, nobody; I sent him on my own account.

Q. Did you desire George Crisp to tell his brother, that it might be to his advantage to go to Bow-street?

A. Yes, I dare say I did.

Q. Have you any doubt of it?

A. No, I have not. I did. I asked him if his brother had got employ; and if he went to Mr. Stafford, no doubt it would be to his advantage.

Q. That if his brother wanted employ?

A. No; I asked if his brother was in employ.

Q. What do you mean by being in employ; how could Mr. Stafford assist him if he was in employ?

A. I merely put that question to him, knowing that *he was out of employ* at the time he wrote this petition.

Q. Knowing he was out of employ at the time he wrote this petition, you told him that if he went to Mr. Stafford he might get employment; upon your word or your oath, did you not?

A. No, I did not. Which way was Mr. Stafford to give him employment? I asked him, whether he was in employ; and if he went to Mr. Stafford, very likely it might be to his advantage.

Q. You told George, that if his brother John went to Mr. Stafford, whether in or out of employ no matter, it might be to his advantage?

A. Yes, I did.

Q. Did you not desire George Crisp to tell his brother, that you had derived some advantage?

A. No, nothing of the sort.

Q. No intimation of the sort?

A. Nothing of the kind.

Q. Did you not tell him you had been better off since the Spa-fields business took place?

A. Nothing of the kind; not the least.

Q. Only, that if he would go to Mr. Stafford, it might be to his advantage?

A. Yes.

Q. Now we will go back to the public-houses. What other places have you been to besides Paddington?

A. A public-house or two in Long-acre.

Q. Is that one of the public-houses you had been to here?

A. Yes.

Q. Have you been down to the Tower since.

A. Yes.

Q. What led you down to the Tower?

A. To find out a person that was there at the time when we were treating the soldiers with beer, and showing the cockades.

Q. Did you find that man out?

A. We found the boy out.

Q. A boy is not a man, did you find the man out?

A. Yes.

Q. What is his name?

A. I do not know, but I believe he keeps the sign of the Pumpkin.

Q. You endeavoured to find out the man that you gave the cockades to?

A. No, I did not say that; the man who kept the tap called the Stone Kitchen, where we had shown the cockades to the soldiers.

Q. Having gone there to find out this man, did you find out this man?

A. I did.

Q. What was his name?

A. His name I do not know, neither did I hear his name.

Q. Did not you ask his name when you found him?

Mr. Justice Bayley. Did he say he found him or not?

A. By the information of the man who kept the place we did.

Mr. Wetherell. Where does he live?

A. He lives at the sign of the Pumpkin, close by Mar lane.

Q. Have you no recollection of his name?

A. No, I have not.

Q. Be so good as to look and find his name, it will take you long?

Mr. Justice Abbott. Is that the list of witnesses you put into his hand?

Mr. Wetherell. Yes, my Lord.

[*The witness looked over the list.*]

Mr. Justice Bayley. This will be a work of great

A. I cannot find it, neither can I think of the na is impossible for me to think of the name.

Mr. Wetherell. A person of this supposed nam what public-house?

Q. The Pumpkin in Mark-lane?

A. Somewhere near Mark-lane.

Q. Who was the officer who walked round with you?

A. Mr. Stafford and one Salmon.

Q. Then there was not an officer, but a duality of officers, what we call two?

A. Yes.

Q. When you met Crisp, was Mr. Stafford with you?

A. No, he was not.

Q. Have you not stated, when you went down to find the man at this Pumpkin house, that you had delivered cockades, or endeavoured to deliver them at this house?

A. We had never intended to deliver them at all; we had only shewn them at this house.

Q. You had stated to Mr. Stafford, that you had shewn cockades at that house.

A. Yes, I had.

Q. And when you went down to the house, you could not find where the house was.

A. Find where it was! yes we could, for we went directly to the house, to the Stone Kitchen where we had shewn them.

Q. But when you got to the Stone Kitchen, you could not find the persons who had seen them.

A. We found that the persons had removed; the landlord had left in consequence of a change of the regiment.

Q. Why did not you follow the landlord.

A. So we did; he had removed from the Stone Kitchen to the Pumpkin.

Q. Did you find him at the Pumpkin.

A. Yes.

Q. What did you say to him.

A. He said, he did not recollect seeing any thing of the kind.

Q. You had stated to Mr. Stafford, that you had shewn cockades in this man's presence.

A. No, I did not state any thing of the kind; I stated to Mr. Stafford, that we had shewn cockades in the tap; I did not know that this man kept the tap, nor I did not know his name, nor what he was.

Q. When you got down to this man, he said, he recollected nothing of the kind.

A. Surely he did.

Q. Did you make any enquiries for any other persons, whom you stated to be present, when the cockades were shown.

A. Yes, we did.

Q. For whom did you make enquiry.

A. For a person that went by the name of Old Mary, and a boy.

Q. What other public-house did you go to after this.

A. We went to the Black Lion, I think it is called, in Vinegar-yard.

Q. Whom did you see there?

A. We saw the landlady and a boy.

Q. What is her name?

A. I do not know.

Q. Your memory was very good yesterday; you remembered Mondays, Tuesdays, Wednesdays and Thursdays, and nine and ten o'clock, as good as an almanack; do you mean to say, you do not remember her name.

A. I do not remember her name; I remember the sign of the house.

Q. What did you say to this landlady.

A. I went and asked her, whether she remembered any person giving away beer, and sticking up bills in her house.

Lord Ellenborough. Is this Old Mary?

A. No; the landlady of the Black Lion.

Mr. Wetherell. What is her name?

A. I do not know.

Q. Is it in the list of witnesses?

A. I cannot say I never saw that.

Q. Do you mean to say, you never saw it, either written or printed?

A. I never did.

Q. What did you ask her?

A. I asked her, whether she recollected any person giving away beer to soldiers, treating the soldiers, or sticking up bills in her tap-room?

Q. What did she say.

A. She said she did recollect something of the kind; but she would call her boy.

Q. She said she did recollect something of the kind; but she would call her boy?

A. Yes; that he always served the beer in the tap-room, and he would recollect it.

Q. What public-house did you go to next?

A. I believe the next we went to was one Newton's, in Long-Acre.

Q. What did you state to Mr. Newton?

A. We wanted to know whether Mr. Newton recollected me; whether he knowed me. He said, Perfectly well.

Q. Where did you go to next, from Mr. Newton's?

A. We went from that over the water, I believe.

Q. Where to?

A. To a person whom Mr. Thistlewood and me had been to, to hire a waggon, or a mountebank stage.

Q. Windemude?

A. No, not Windemude; the person who had the mountebank stage.

Q. Without going through all this at large; did you go two or three days with Stafford, or any other public officer, to the witnesses who have been examined on this

Mr. Justice Abbott. He has already told you he does not know who were the persons who have been examined; these are terms therefore which he cannot adopt.

Lord Ellenborough. He has said he does not know who have been examined, nor seen the list of witnesses.

Mr. Wetherell. I beg your lordship's pardon; he has so. Did you go round with Mr. Stafford to collect evidence for this trial?

A. No; I did not know what Mr. Stafford was taking me round for; it was not said to me.

Q. Do you mean to say, that you did not know that Mr. Stafford took you round to collect together evidence on this subject?

A. Mr. Stafford did not communicate to me what his object was.

Q. Do you mean to say, that you did not go to make enquiries as to evidence to be laid before this court?

A. The names I had mentioned to Mr. Stafford, and the places I had been at; he asked me, whether that was the house, or these were the people; but he did not tell me the reason that I was taken round.

Q. And you could not exercise a shrewd guess what it was for?

A. That rests with myself.

Q. You had a little satisfactory notion that it was for that?

A. My intellect was not quite so weak as that.

Q. Did you know that Stafford was taking you round to beat up for enquiries upon this subject?

A. I did not know for what purpose it was.

Q. Upon your oath, man; upon your oath.

Lord Ellenborough. The witness must have an opportunity of giving his answer; there must be justice done to the witness, as well as to the counsel.

A. I beg pardon; I will answer every question, to the

satisfaction of your lordships and the gentlemen of the jury.

Mr. Wetherell. Did you not believe, when you were taken round by Mr. Stafford and the other person, that you were taken round to procure information upon the subject of this trial?

A. I never had any communication on the subject.

Q. That is no answer to the question. Did you not believe it?

A. Certainly, I did believe it; I could not be so weak, as not to suppose what it was for.

Q. Then why did you not state so before?—Before I go on any further with you, I shall ask you a question or two; you are described to be a whitesmith?

A. I am.

Q. How long is it, since you have left off the trade of a smith?

A. That I cannot exactly tell you, not to a year or two.

Q. When was the last piece of smiths work which you did, with the exception of the pike heads? Now do not be in a hurry, but give an answer to that question.

A. Not for these twelve or fourteen years; I have not worked at my business these twelve or fourteen years.

Q. You have done no job at smith's work for twelve or fourteen years, except making this pike head?

A. I have done jobs for myself, but not to work for shops.

Q. What shops have you done any work for any body at?

A. Shops I have worked for?

Q. What work have you done for yourself, or for any shops, for these fourteen years?

A. I have been in business at Harwich.

Q. In iron work I mean?

A. Of iron work I have done nothing, except two or three little jobs for myself.

Q. What sort of jobs?

A. Repairing a lock, or any thing of that kind, for my own use.

Q. With the exception of these two or three little jobs for yourself, you have never done any smiths work lately, except this pike head?

A. I did not make this pike head.

Q. Which you spoke about yesterday?

A. I spoke about one.

Q. You have alluded to Harwich; you have left Harwich sometime, I believe?

A. Yes, I have.

Q. In what way of business were you, before your connection began, or your acquaintance began with Mr. Thistlewood, and Mr. Watson, and the other prisoners?

A. I was in the figure-making way.

Q. What do you mean by the figure-making way?

A. Such as figures for children, what they call paper dolls, which I took up myself.

Q. Where did you live?

A. At No. 5, Newton-street, Holborn.

Q. That was your actual employment when your acquaintance with the prisoners began?

A. It was.

Q. Did you not state to some of the prisoners, that you were in great distress when your acquaintance began with them first.

A. Yes, I did.

Q. Were you in great distress?

A. Yes, I was.

Q. Were you ever in commitment before this time?

A. No.

Q. Never?

A. No, never.

Q. Upon no charge whatever?

A. *Commitment* do you say? Yes, I was.

Q. Were you ever at such a place as Guildford, in the county of Surrey?

A. Yes.

Q. How many times have you been in commitment or in custody before the present occasion?

A. Twice.

Mr. Justice Bayley. Both times at Guildford?

A. No.

Mr. Wetherell. Where were you in commitment?

A. Once at Abergavenny.

Q. Where was the other time at?

A. At Guildford.

Q. We will take the Home Circuit first, and then we will go on the Welsh circuit. What were you committed for, for which you had occasion to go to Guildford?

A. I dare say you perfectly well know.

Q. But I must take the liberty to ask you; we had better have it of you than from me?

A. For putting off bad notes.

Q. Is not that what is commonly called a forgery?

A. No, I never understood it was.

Q. Or uttering forged notes; is that the better way of putting it?

A. Yes; uttering forged notes.

Q. You told me first, you never were in commitment; when you gave me that answer, did you not recollect you had been twice in commitment?

A. I understood you different; was I ever tried.

Q. My question was, Were you in commitment?

A. I misunderstood it.

Q. You made a distinction between commitment and tried.

A. Yes, I did.

Q. You were not tried at Guildford?

A. No, I was not.

Q. What happened that you were not tried?

A. I was admitted as evidence.

Q. The same accident happened at Guildford, as has happened upon this occasion?

A. Yes, it did.

Q. Namely, that you were committed upon a charge, and afterwards became a witness against the persons committed upon the same charge; is that so?

A. Be kind enough to repeat it, I cannot understand you.

Q. Did the same accident happen at Guildford as has happened here; namely, that you became upon that occasion, as you are at present, a witness against persons committed upon the same charge as yourself?

A. It did.

Q. What became of the man against whom you were witness at Guildford?

A. What became of him? he suffered the laws of his country?

Q. Did he die upon the scaffold as a victim?

A. I was informed he did.

Q. Have you a doubt that he did?

A. No, I have not.

Q. When was this transaction, Mr. Castle?

A. About three or four years ago.

Q. What was the name of this unfortunate man?

A. Davis.

Q. At whose suit were you committed?

A. At the suit of the Bank.

Q. Of the Bank of England?

A. Yes.

Q. Did you make any and what bargain with the Bank of England, before you were admitted as a witness?

A. *No, I did not.*

Q. Had you no promise of pardon for being a witness against the man that was hung?

A. No, none whatever.

Q. What was your expectation upon the subject?

A. As soon as we were apprehended, I told them I had been innocently dragged into it, and that I would communicate the whole of the circumstances, which I did.

Q. That you had been dragged into it innocently, and that you would communicate the whole of the circumstances?

A. Yes, where we got the whole, where we got the forged notes from.

Q. Were you innocently dragged into this transaction?

A. Yes, I was.

Q. What age are you?

A. Between eight and nine and twenty.

Q. Are you not more than that?

A. No.

Q. Do you know a person of the name of Greenaway?

A. Yes; I did know a person of the name of Greenaway.

Mr. Justice Bayley. You have not given us the date of this transaction.

Mr. Wetherell. It was three or four years ago, was it not?

A. Yes, it was.

Q. Now I am coming to another transaction, of a person of the name of Greenaway; about the same time were you a witness against Greenaway?

A. Yes, I was.

Q. What was the charge against Greenaway?

A. Greenaway was with me when I was apprehended.

Q. Greenaway was taken when he was with you?

A. He was.

Q. Was he more fortunate than you, upon that occasion?

A. I do not know what you mean by being more fortunate.

Q. Did he suffer under the sentence of the law, or was he transported?

A. He pleaded guilty, and was transported.

Q. You were the only bird of the covey that escaped; there were three of you?

A. There were.

Q. One underwent the sentence of the law, the second was transported, and the third is now present in this court; that is so?

A. Yes, it is.

Q. Speak a little louder if you please.—Whom did you work for last in your business, did you say?

A. The last that I worked for in my business was at Doncaster, for one Mrs. Angell.

Q. How long ago was that, sixteen or seventeen years ago?

A. About fourteen years ago.

Q. Before that time did you work?

A. I worked where I was apprentice.

Q. How long did you work there?

A. I worked there at twelve or fourteen when I was apprentice, quite a child, I was brought up there.

Q. You worked there at twelve or fourteen?

A. Yes; I was brought up there as a child.

Q. Will you state to the jury, that you are not more than four and twenty?

A. I said eight and twenty, I do not know to a year.

Q. You do not know your own age?

A. Not exactly.

Q. Why did you speak to your being only eight and twenty?

A. I believe I am about that.

Q. Will you swear you are not thirty-[illegible]

A. No, I am not.

Q. *Thirty-two?*

A. No, I am not.

Q. Where is the place you were brought up at?

A. A place called Kirby;—South Kirby.

Q. Where is that?

A. In Yorkshire.

Q. Twelve or fourteen years you lived as an apprentice?

Mr. Solicitor General. No, he did not say so.

Mr. Wetherell. I understood him so. You will not swear to your age to two or three years?

A. No, I cannot.

Q. I must now take the liberty of requesting your attendance on one of the Welsh circuits; you were committed at Abergavenny?

A. Yes.

Q. On what charge were you committed there?

A. I was committed on a charge of taking a French prisoner.

Q. A charge of taking a French prisoner?

A. Yes.

Q. Do you mean taking or taking away?

A. Taking away.

Mr. Justice Bayley. Assisting in the escape of a prisoner, I suppose?

A. No, preventing the escape.

Mr. Wetherell. Preventing his escape?

A. Yes; I will give you satisfaction upon that.

Q. Who was the good honest Welsh parson who committed you on that occasion?

A. I have forgotten his name; I have heard it.

Q. Do you remember his telling you, that if the same thing had been committed by a commissioner of the transports, he would have committed him?

A. Yes, I remember that.

Q. The good honest Welsh parson told you, that if the

same thing had been committed by a commissioner of the transports, he would have committed him?

A. Yes, he did.

Q. You may give any explanation of this which you may deem fit?

A. I became acquainted with one Warner, who gave me two letters to take out; he was in Tothill Fields Bridewell, and had written two French letters that were to be sent over the water to Buonaparte. As soon as I had got those letters, I went and communicated the circumstance to a Bow-street officer, a person of the name of Dickins.

Lord Ellenborough. Where did you get those letters?

A. They were given to me by a man of the name of Warner, to be sent over the water.

Mr. Justice Bayley. To be sent to Buonaparte?

A. Yes. As soon as I got possession of those letters, I, and two of the officers of Bow-street, went down to the Transport Board, where we were introduced to one Sugden, and we gave the letter to Mr. Sugden.

Lord Ellenborough. Do you mean two police officers?

A. Yes.

Mr. Wetherell. What were their names?

A. One, Dickins; and the name of the other I do not know; we gave them to one Sugden, who was a clerk in the Transport Board. I gave him those letters, and he took them, and then afterwards he gave two written papers to one William Salmon at Bow-street; and Dickins was sent down with me to Abergavenny, to bring one Colonel Pouvetté from Abergavenny to London. It so happened, that Colonel Pouvetté would not come away till the first beginning of the month following; we immediately returned to London, and communicated the same to the said Sugden, and I was sent back again the same evening by myself with an order. I was sent back by the Bristol mail, to bring Colonel Pouvetté from Abergavenny to London.

He gave me an order, if I should be stopped or interrupted on the road, to shew to any person.

Q. Who gave you this order?

A. Sugden.

Lord Ellenborough. What occasioned your detention at Abergavenny.

Mr. Wetherell. What were you committed for; for, you say, the magistrate committed you, and you would satisfy the jury upon the subject?

A. I was committed for taking Colonel Pouvetté away from that parol of honour; I went down, and was apprehended about eight miles from Abergavenny.

Mr. Justice Bayley. You said Colonel Pouvetté and you and he came away together?

A. Yes.

Mr. Wetherell. Did you not get a cart from Bristol?

A. Yes, I did, by the desire of Colonel Pouvetté, and a man to go with me to drive it.

Q. Where was it you were stopped?

A. About seven or eight miles from Abergavenny.

Q. What was the magistrate's name that committed you?

A. I do not recollect it.

Q. You seem to recollect the man, but not his name?

A. I do not recollect his name; I know he was a clergyman.

Q. Had you been told that this Colonel Pouvetté was a man of considerable eminence as an artillery officer in Buonaparte's army?

A. Yes, I had.

Q. The first time you tried you did not succeed, I believe?

A. Colonel Pouvetté would not come away.

Q. The second time you did get him away?

A. By his own desire; he gave me instructions how to

get the cart, which Salmon, Dickins and I brought to London, and gave to Sugden.

Mr. Justice Abbott. The first time you saw him, he gave you the letter of instructions?

A. Yes, he did.

Lord Ellenborough. Did you produce to the magistrate Sugden's letter?

A. I did, and went to a person of the name of Jones, who was the conductor; I think they called him the person who had got the charge of the whole of the French prisoners there, and he identified it.

Q. As being Sugden's hand writing?

A. Yes.

Q. Still the magistrate committed you?

A. Yes, on account of not sending this person a regular notice for them to come away, a regular order.

Mr. Wetherell. You got the man into the cart, and then you were committed, because you had not a regular order to bring him away.

A. Yes, a regular order for him to come to London.

Q. How much was offered you, if you could get Colonel Pouvetté away.

A. No particular sum.

Q. Who made you the offer?

A. One Warner.

Q. Who was Warner?

A. A person who was confined in Tothill-Fields Bridewell then, for taking away French prisoners.

Q. You went to Warner in Bridewell, to converse about the plan?

A. Yes, I did.

Q. Who gave you the name of this Warner; who let you into this line?

A. I chanced to go there to see one Kennett, who was there.

Q. Who is Kennett?

A. One Robert Kennett.

Q. Has not Kennett been hung?

A. Yes, he has.

Q. I understand you to say, that Kennett, whom you went to see, was hung?

A. Yes.

Mr. Wetherell. I asked him, my Lord, whether his friend Kennett was not hung?

A. He was no particular friend of mine.

Q. You went into Tothill-Fields Bridewell, to see Kennett, who was under conviction?

A. He was then under examination.

Q. Did Kennett refer you to Warner?

A. Yes, he did.

Q. How came he to refer you to Warner?

A. They were both there together, under examination.

Q. Had you known Kennett before?

A. I had known him two or three years before.

Q. Kennett let you into this; it was likely to turn out a good job?

A. No, merely going there, I was asked to take their two letters out; the two letters that were to go over to France for Warner.

Q. What became of Warner?

A. I do not know; he is now, I believe, in Kent.

Q. Has he disappeared?

A. I have not seen him these two or three years.

Q. Your friend Kennett, or your acquaintance, gave you an introduction to Warner on the subject of getting Kennett off?

A. No, he did not; he merely desired me to take the letters out, to give to Warner's sister who was coming to town.

Q. That led to the plan which you have mentioned?

A. Yes, it did.

Q. You have said, that a person of the name of Dickins was your companion down to Wales?

A. Yes, he was.

Lord Ellenborough. I have taken it Deacon.

Mr. Wetherell. How do you spell his name?

A. I do not know how to spell it.

Q. Is this Mr. Dickins the man that was examined some time ago at the Old Bailey, on those conspiracies that made some little noise?

A. I do not know any thing of that.

Q. I mean the associate of a man of the name of Vaughan?

A. I do not know any thing of it.

Q. Do not you know that it is the same Dickins that was discharged at the Old Bailey, as the associate of a man of the name of Vaughan, in hatching up those conspiracies?

A. I do not know; I have not had any communication with him?

Q. Do not you believe it is the same?

A. I do not.

Lord Ellenborough. How can he know this?

Mr. Wetherell. My object is to shew that this man's associates are all felons, or the most base of mankind.

Lord Ellenborough. This is really very irregular.

Mr. Justice Abbott. Every witness who comes into court is entitled to the protection of the court. I remember the subject being discussed at the trial of Hardy at the Old Bailey, and Mr. Erskine, the counsel for the prisoner, was informed, that there was a certain mode in which a witness should be examined. You may put your questions and he must answer them.

Mr. Justice Bayley. At present he has said that he knows nothing of Dickins being dismissed at the Old Bailey, or *involved in any transactions* there.

Mr. Wetherell. Do you believe that the Dickins you have spoken of was an associate of Vaughan?

Mr. Gurney. He has already said that he does not know any thing about it.

Lord Ellenborough. It is really corrupting all justice when such prejudices are introduced.

Mr. Wetherell. Now I ask you again whether you do not believe ——

Mr. Gurney. As the witness has said he does not, I must object to the question being pressed farther, after the decision of the Court.

Mr. Wetherell. I will not be put down by you, Mr. Gurney.

Mr. Gurney. I do not seek to put down, Mr. Wetherell; but I hoped that after the question had been ruled by the Court, it would not have been put again.

Mr. Wetherell. I will bow to the Court, but to nobody else.

Mr. Gurney. I do not ask you to bow to me.

Lord Ellenborough. The Court are of opinion the question should not be put.

Mr. Wetherell. Very well, my Lord, I bow to your lordship's decision. You have stated to me, that you and Mr. Watson had a private conversation, which I think you say was at your lodgings?

A. Yes, it was.

Q. I think you say you desired your wife to go out of the room?

A. Yes, I did; I desired the person who was in the room to go out.

Q. Did you desire your children to go out?

A. I have got none.

Q. Your expression was, that you desired your wife to go out; that you were a married man. I request that that may be read to him. The answer that he gave to me was,

that he was a married man; and that he desired his wife to go out of the room.

Mr. Justice Bayley. He certainly said that he desired his wife to go out.

Lord Ellenborough. He certainly, to my memory, described her as his wife.

Mr. Wetherell. Did you not state to the Jury, yesterday, that you were a married man, and that you desired your wife to go out?

A. Yes, I did.

Lord Ellenborough. I do not recollect his saying that he was a married man, but the words import that, certainly.

Mr. Wetherell. I have his words.

Mr. Justice Bayley. I have the words, "my wife went out, I desired her."

Mr. Justice Abbott. "I saw him, and my wife went out, I desired her; we were alone together."

Mr. Wetherell. What age is your wife?

A. I do not exactly know her age.

Q. You have no children living?

A. No, I have none.

Q. Have you had children?

A. Yes, I have.

Q. How many have you had?

A. Three or four.

Q. You do not seem to recollect how many?

A. Three, and one miscarriage?

Q. Where is your wife?

A. In the country.

Q Where?

A. In Yorkshire.

Q. Do not you know her age?

A. No, I do not.

Q. Having had four children by her?

A. No, I do not know her age.

Q. Are you certain your children are all dead?

A. I am.

Q. When did they die?

A. About three or four years ago.

Q. How old would the oldest have been if he were now living?

A. About ten years old.

Q. Is the mother of those children dead or living?

A. Living.

Q. Then she is your wife?

A. I do not know whether she is my wife or not; we have lived together as husband and wife.

Q. Were you married to her in a church?

A. I was.

Q. Where?

A. At Dover Court.

Q. That is near Harwich?

A. Yes.

Q. Two or three miles from Harwich?

A. Yes.

Q. How long ago is that?

A. Ten or twelve years ago.

Q. Was not her name Prickett?

A. Yes, it was.

Q. Were you married at Dover Court church?

A. Yes.

Q. If you were married together at Dover Court church, what do you mean by telling the Jury just now, you had lived with her, or called her your wife?

A. I had no particular reason.

Q. Did you not mean to intimate that she was not your wife?

A. I did not.

Q. Then why did you not say she was your wife, and not a person that lived with you; what did you mean that she

was, by saying a person you lived with? I put the question to you expressly?

A. Because I have lived with another person.

Q. You have lived with another person since?

A. Yes, I have.

Q. What is her name?

A. Thoms.

Mr. Justice Bayley. Was it the wife that was in the room on Saturday then?

A. Yes.

Mr. Wetherell. Was it Mrs. Thoms, or your real wife, that was in the room on the Saturday?

A. My real wife.

Q. Whose name was originally Prickett?

A. Yes.

Q. Was she the person that was in the room?

A. Yes.

Q. You say you have lived with another person of the name of Thoms?

A. Yes.

Q. Of what age is she?

A. She is dead.

Q. Is there no other person that you now cohabit with besides your wife?

A. No.

Q. Have you ever been married more than once; I do not mean a marriage since Mrs. Prickett's marriage; were you ever married before?

Mr. Justice Bayley. Nor before?

Mr. Wetherell. She might be dead. Were you ever married before you were married to Mrs. Prickett?

A. No, I never was.

Q. I cannot carry the question further; did you ever make proposals of marriage to any person within these three or four years?

Lord Ellenborough. How can that question be asked; I will put it to your own feelings; your own good sense?

Mr. Wetherell. I will not carry it further, my Lord, I have the best evidence. Where did Mrs. Thoms live?

A. She lived in King-street; she is dead.

Q. You have told us, your last employment was that of selling children's figures?

A. Yes.

Q. Did you formerly live at a place called Mother Thoms?

A. Yes, I did.

Q. I do not know what sort of a place that is; where is it?

A. In King-street, Soho.

Q. What is Mother Thoms?

A. She is a person that kept a lodging house.

Q. What number is it?

A. Thirty-two.

Q. Thirty-two, King-street, Soho.

A. Yes.

Q. You call it a lodging house, do you?

A. Yes.

Q. Is it for male or female lodgers?

A. Female lodgers.

Q. Are the lodgings let out for a half hour, or a month, or a quarter of an hour?

A. By the week.

Q. Did she let them out occasionally for five or six minutes?

A. No, she did not do any thing of the kind.

Q. Do you mean to say, that it is not a house of ill fame?

A. No, upon my oath it is not.

Q. Not Mother Thoms a house of ill fame?

A. No. I do not know what use they made of it; but

never let it out for half an hour, tho you please to
it.

Q. It was a more genteel establishment?

A. Yes.

Q. Do ladies live there?

A. Yes.

Q. Is not this a place where prostitutes live?

A. It is a place where young women take their lodging

Q. Is it not a place of prostitution, or a house of ill fame

A. No, it is not.

Q. What are those young women kept there for?

A. They are not kept there.

Q. What do those young women receive visitors tha
for?

A. I do not know.

Q. Were not you a waiter there?

A. No, I was not.

Q. Were you a partner there?

A. No, I was not.

Q. Is not there a person called a protector in those hou

A. No, there is not.

Q. In what character did you live there?

A. I lived there as her husband.

Q. Is there not in those houses a good stout fellow
a protector?

A. No, not that I know of.

Q. A bully?

A. Not that I know of.

Q. Did you live in that character there, or not

A. No, I did not.

Q. What, in genteel language, is called the p
those women?

A. No

Q. But you lived with Mrs. Thoms there?

A. *Yes; she* let her lodgings out at so mu

Q. How much is her usual establishment; eight or ten?

A. She had three rooms, and let them out to three separate women; three different floors.

Q. Each had a floor?

A. Yes.

Q. It was not a receptacle for any prostitute to come in, but only those three who had those three lodgings?

A. No.

Q. Had you any back room or back entrance for promiscuous customers?

A. No.

Q. For chance customers, as they are called?

A. No, nothing of the kind.

Q. Do you mean to say, that those rooms were not let out to those young women for receiving their gallants?

A. I do not know what they were let out for, I never interfered in the least in it.

Q. Did the company visit it at night or in the morning?

A. I never took any particular notice.

Q. Whether it was morning or evening visits?

A. No, there was free access whenever they pleased, for any person that they chose, I never interfered with it; they took the lodgings and paid for them.

Q. And you did not take notice whether the chief visitors were in the morning or the evening?

A. No; I never interfered nor took any notice; I neither paid nor received, nor took any concern in it.

Q. And you tell these gentlemen, you do not know whether those were rooms let out for the purposes of prostitution for those unfortunate women?

A. I do not.

Q. You do not believe that they were?

A. I believe that they were, but I do not know.

Q. Whose name was on the door?

A. My name was on the door.

Q. You had no payment of the rent, or any thing of the kind?

A. No.

Q. Who received the rent from those young women?

A. She always received it herself, Mrs. Thoms.

Q. When did you take the brass plate, with your name on it, off this door?

A. It is not taken off now.

Q. How many years has it been on the door?

A. About a year and a half.

Mr. Justice Bayley. It is there now?

A. It is there covered.

Lord Ellenborough. A plate over it?

A. Yes.

Mr. Wetherell. Is there the name of Thoms on the d as well as yours?

A. Thoms was on the door, and mine was put on same place; the plate was put out, and a fresh put in.

Q. Is that legible now on the door?

A. It is not.

Q. When was it covered?

A. I have not been that way for these eight months, therefore I cannot say.

Q. Where is Mrs. Thoms; does she keep still?

A. She is dead.

Q. You have not exactly told us where you the person you call your wife?

A. I do not know where she is.

Q. Do you not know where she has bee desired her to retire?

A. I sent her into the country.

Q. Where?

A. *Close to Doncaster.*

Q. Is that her place of birth; you told us she came from Dover Court?

A. I sent her down to Yorkshire.

Q. For what purpose?

A. To see my friends.

Q. Do you know a young woman, the daughter of a baker at Brighton?

A. I do.

Q. What is her name?

A. Streeter.

Q. What age is she?

A. I do not know.

Q. About seventeen, I believe?

A. Yes.

Q. Is she more than seventeen?

A. I do not know what her age is.

Q. Had you been at Brighton before this confinement which you are under here, much at Brighton?

A. I have been twice at Brighton.

Q. Her name is Streeter, and about seventeen?

A. I do not know her age.

Q. I ask about her age, seventeen or eighteen?

A. I do not know her age.

Q. Having gone through the head of private or domestic history, proceed we to the topics of general history. You have told us, that on the 2d of December you proceeded to London Bridge?

A. I did.

Q. I think you said between eight and nine in the morning?

A. No, I did not say any thing of the kind.

Q. What did you say?

A. I said, I proceeded between eight and nine in the morning to the Black Dog in Drury-lane.

Q. Then you went from thence to London Bridge?

A. No, I went from thence to meet the waggon at the top of Gray's-Inn-lane, at the top of Chancery-lane, I should say.

Q. What o'clock was that, eight or nine o'clock?

A. Between nine and ten o'clock then.

Q. Did you load the ammunition waggon at the top of Chancery-lane?

A. Load it!

Q. Load it with the ammunition?

A. No, I did not; I put in the colours that were tied on the staff.

Q. Who put the pound of powder into the waggon?

A. That I do not know; it was taken away by one John Keenes from the Black Dog.

Q. Is Keenes a tailor?

A. Yes, he is.

Q. Was he one of the Generals on this business?

A. No, he was never mentioned as a General.

Q. Was he called Captain Keenes?

A. No, he was called only Keenes.

Q. Did you call him Snip Keenes, or General Keenes?

A. No, there was no such name given him.

Q. No nick-name?

A. No.

Q. Keenes brought the ammunition?

A. I do not know whether he brought it; he took it away from the Black Dog.

Q. What might be the quantity of ammunition?

A. There was very near half a canister full, and sixty or seventy balls.

Mr. Justice Bayley. A tea canister?

A. No, a little powder canister.

Mr. Wetherell. Half a canister is half a pound?

A. I do not know how much it held exactly.

Q. *Was it Dartford* powder?

A. It was fine powder.

Q. Sportsman's powder?

A. I cannot say.

Q. Was it a pound canister or a two pound?

A. It appeared to me to be a pound canister.

Q. Do you know where this pound of powder was bought?

A. I do not.

Q. Did you help to put in the powder and the balls into the stocking?

A. I tied them up in a dirty white handkerchief, or something which appeared like a dirty white handkerchief; the balls were in a stocking, or a stocking foot.

Q. You put them up yourself?

A. I did.

Q. Was there any more ammunition besides this half canister of powder and balls; any more ammunition prepared to put into the waggon?

A. No, not that I know of.

Q. You prepared it, therefore you can have no doubt whether it was prepared or not?

A. There was no more that I saw, except two or three small cartridges made with slugs.

Q. Those we have in the indictment; two or three small cartridges, half a pound of powder, and sixty or seventy balls?

A. Yes.

Q. Those you put into the waggon?

A. I did not.

Q. You made them up to put into the waggon?

A. Keenes was desired to take them, and put them into the waggon.

Q. You, personally, brought nothing to put into the waggon but the colours?

A. I did not.

Q. After this, tell us how soon you went to the Tower?

A. It might be as nigh as I can guess, about half past eleven o'clock.

Q. Were not you at the Tower earlier than that?

A. No, I was not.

Q. I understood you to say, you had been told by one of the sentries, early in the morning, that the gates were shut?

A. No; I said I proceeded from London bridge to the Tower, and was told by one of the sentries there was no admittance.

Q. That was not earlier than half past eleven.

A. No.

Q. When you had put the ammunition into the waggon, did you proceed to Spa-fields.

A. I did not put the ammunition into the waggon.

Q. After you had put the colours into the waggon?

A. I went down to No. 1, Dean-street, and assisted Keenes in wrapping up the banner, and then proceeded to London bridge, where I was to have met the smiths.

Q. And when you got there, there were no smiths?

A. No.

Q. Not a soul?

A. No, none that I knew.

Q. What smiths were you to meet at London bridge?

A. The smiths that came from one Hobday's or Overy's, or some such name as that, somewhere over the water.

Q. What was the name?

A. I do not know.

Q. You do not know the name of the person who had the factory; you told us yesterday you were sent down to get the smiths?

A. No, I did not tell you I was sent down to get the smiths.

Q. You were to attend them to Spa-fields?

A. Yes, they had previously made a subscription of

twelve and sixpence and brought there, but I did not ask the name.

Q. Then the story of your meeting the smiths amounts to nothing, there were none of them?

A. There were smiths, but they were either gone to Spa-fields or not come, I did not see them.

Q. Did you not say yesterday that you had reported to Watson that the smiths were likely to assist you, that there were a quantity of smiths likely to come up?

A. Mr. Watson had been with me to meet them when they were at dinner.

Q. When you got there, there were not any smiths to be brought up?

A. No there were not.

Q. Can you mention the name of any of those smiths?

A. I do not know the name.

Q. Can you mention the name of any smith that promised to attend at the Spa-fields meeting.

A. I do not know the name of any of them.

Q. You do not know the name of the person with whom they worked?

A. I should know it if I heard it; it is a large iron factory over the water, Bouverie, or some such name; no, that is not the name.

Q. Finding there were no smiths, what did you do then?

A. I went down to the Tower gate.

Q. You were told the Tower was shut?

A. Yes.

Q. What did you do then?

A. When I found every thing was perfectly quiet there, I went up to the Minories.

Q. You did not waste your breath in making an harangue against the Tower walls?

A. No, I did not.

Q. You made no speech to the soldiers?

A. No, I had been with them in the Tower.

Q. We have had that before; but this summons of the Tower: you did not, on the 2d of December, with a loud voice, then and there demand the soldiers of our Lord the King, to give up the Tower?

A. No, I did not.

Q. You did not harangue the soldiers on the Tower?

A. No, I did not harangue them.

Q. Finding the Tower was shut; you said, I think, they had shut the gates because there was a meeting?

A. In consequence of the meeting.

Q. Which way did you go then?

A. Up the Minories.

Q. Were things quiet when you passed along up the Minories?

A. Yes, quite quiet.

Q. Which way did you go then?

A. Up to the Bank.

Q. Did you go to the Royal Exchange?

A. I crossed through.

Q. Was this before or after Hooper was taken at the Royal Exchange with a flag?

A. It was before; I did not know that he as taken at the Royal Exchange till the evening.

Q. Did you go up by the Bank?

A. I went up at the back of the Bank, and so up Ladlane, and in the direction of Little Britain.

Q. At what time did you meet Mr. Hunt?

A. About twenty minutes before one.

Q. At what part of Cheapside did you meet Mr. Hunt?

A. Near Bow Church, I think they call it.

Q. There was no bustle or disturbance in Cheapside or in the City?

A. No.

Q. *What passed* between you and Mr. Hunt?

A. I stopped Mr. Hunt, and asked him what was the reason that he was so late. He asked me what was the matter. I told him, I was informed young Watson had taken away a party, and was gone to attack the Tower. Mr. Hunt looked round at the clock, and said that one o'clock was his time, and that it wanted twenty minutes of one o'clock yet; and that he should be there in time: and he drove off.

Q. Is that all you stated to Mr. Hunt.

A. Yes, it was.

Q. Did you say any thing else to him about the Tower?

A. No, I did not.

Q. Is that all that passed about the Tower?

A. It was; he immediately drove off in the direction of Spa-fields.

Q. Had you any other conversation with him besides what you have mentioned?

A. No.

Q. Now attend to this question before you give an answer; did you not tell Mr. Hunt that you had just come from the Tower, and add, "The Tower has been in our possession an hour or two hours?"

A. No.

Q. Two hours, or something to that effect?

A. No, I did not.

Q. Or any thing to that effect?

A. No.

Q. Did you say to him, the Tower was in our possession?

A. No.

Q. Did you, in any way, give him to understand that the people had got the Tower?

A. No, I did not.

Q. Did you give him any reason to suppose the people had got the Tower?

A. No, I did not.

Q. Was Mr. Hunt in his curricle, going towards the Saint Paul's end of Cheapside.

A. He was coming from the Mansion House in the direction towards Saint Paul's.

Q. Did you not desire Mr. Hunt to turn back and go with you to the Tower?

A. I did not. I desired Mr. Hunt to make as great haste as he could to Spa-fields, and he immediately drove off; he did not stop half a minute.

Q. Did you say any thing to him?

A. Yes, I did.

Q. Did you say any thing to him in the shape of requesting him to turn back and go with you?

A. No, I did not.

Q. Which way were you walking when you met Mr. Hunt; the same way, or different ways?

A. I was walking towards the Bank.

Q. How came you to be walking towards the Bank?

A. I was going down to the Tower.

Q. You had been at the Tower once; how came you to be going down again?

A. I met the elder Watson, Thistlewood, and Keenes, and they informed me that young Watson had taken a party of men from Spa-fields, and was gone down to attack the Tower; and I did not like to go with them, and went through Cheapside.

Q. Where did you meet these persons?

A. In Little Britain.

Q. Watson, Thistlewood, and Keenes had told you that young Watson was going down to the Tower?

A. That he had gone.

Q. Were Thistlewood, young Watson, and the rest armed at this time?

Mr. Justice Abbott. He does not speak of young *Watson being there.*

Mr. Wetherell. Were those persons you have spoken of, armed at that time?

A. I did not see any arms. The elder Watson had his dirk stick in his hand, but it was not drawn.

Q. You were yourself at this time going towards the Tower?

A. I was.

Q. What did you do with yourself after this?

A. I went down to the Tower with Keenes, and down Mark-lane, and there I had something to drink with Keenes, and returned back in the direction of the Bank; and when I got to the Royal Exchange, I heard a great shouting; and I went up the alley by the side of the Exchange, and saw young Watson with about two or three hundred men and boys.

Mr. Justice Abbott. Did you say, at the back of the Bank?

A. No, in front of the Bank; between the Royal Exchange and the Bank.

Mr. Wetherell. They were then firing in the air.

A. Yes, they were.

Q. Do I understand you to have said, that you bought all the pistols which you have spoken of yesterday.

A. I bought two pair of pistols.

Q. Those are all the pistols which you bought?

A. Yes.

Q. And the swords?

A. Two swords; three swords I bought.

Q. You bought no other articles besides those you have mentioned?

A. No, I did not.

Q. Before you endeavoured to get a waggon, you endeavoured to get a stage to speak from, did not you?

A. Yes, I did.

Q. Did you object to take it on account of the price?

A. No, we did not object to take it on account of the price, but the man would not let it.

Q. Did you ask the man for a stage to speak from?

A. Yes; we asked the man whether he had any thing to deliver a few speeches from, and he said he had a mountebank stage that he would sell for eight pound.

Q. Who had desired you to get a mountebank stage to speak from?

A. Thistlewood was with me at the time.

Q. Who had desired you to get it?

A. Thistlewood.

Q. That is all you know?

A. I was with him at the time.

Q. Why was a stage preferred as the best thing to speak from?

A. We did not want a stage particularly; either a stage or a waggon.

Q. How came you to go after the stage.

A. We went to enquire for a waggon; and a stage was mentioned.

Q. You did treat for the hire of it, and they would not let it out to you?

A. We offered them money, I think it was three pound.

Q. You have told us the arms were divided among the people for the second of December?

A. They were.

Q. Were there any other arms divided or distributed besides those you have mentioned yesterday?

A. Yes, there was an old sabre and a dirk stick, which the elder Watson had.

Q. That was all you saw?

A. It was.

Q. Do I understand you correctly, that your meetings were from time to time kept up in Greystoke-place?

A. *Yes.*

Q. Up to the second of December?

A. Yes, there, and No. 1, Dean-street.

Q. Did you meet in Greystoke-place every day.

A. Most days we did, once or twice.

Q. You met there and at Dean-street both.

A. Yes.

Q. After the advertisement was put into the paper with respect to subscriptions, did any persons come to Greystoke-place to bring any money?

A. Yes, they did.

Q. Who took any money?

A. The elder Watson.

Q. It was known that this meeting was kept up in Greystoke-place?

A. Yes, it was.

Q. How much money was collected?

A. I cannot say.

Q. Was there twenty pounds?

A. There was a ten pound note that came at one time.

Q. How much was the whole of your collections?

A. I cannot say, to a few pounds.

Q. How near was the money that you got, tell us as nearly as you can?

A. Very probably there might be thirty pound collected.

Q. Was that the full amount of it?

A. As nigh as I can speak; I never took any particular account of what money was collected.

Q. You stated yesterday, that when Harrison withdrew, you were thrown into a state of alarm?

A. Yes, I did.

Q. And that you resolved to have another place of meeting?

A. Yes, I did.

Q. You have told us that your meetings were still continued at Greystoke-place?

A. Yes, so they were; after I saw Harrison, we went the very same night to Greystoke-place.

Q. What do you mean by saying, that you held your meetings there after you were thrown into a state of alarm?

A. So we did.

Q. You said that your meetings were discontinued there after Harrison withdrew.

A. No, I said that we went to the Blue Last, and could not have any communication there; and that we then withdrew to Greystoke-place and continued till a late hour.

Q. What is the ground on which Harrison withdrew from the plan you have mentioned?

A. On account of a quarrel which took place between the younger Watson and him, going up to Seale's for the bills.

Q. When he withdrew, who was the person who introduced Hooper?

A. I did.

Q. You introduced Hooper?

A. Yes; Hooper had been appointed in his stead.

Q. You introduced him?

A. Yes.

Q. Did you prevail on Harrison to withdraw?

A. By no means.

Q. Did not you tell him if he was suspected, it was better for him to withdraw?

A. No, I did not.

Q. Nothing of the sort?

A. No, nothing of the sort.

Q. You know Mr. Angel, do not you?

A. Yes, I do.

Q. You brought him to dine?

A. *Yes, at No.* 1, Dean-street.

Q. That was a day or two before the second of December?

A. It was the Sunday, the meeting being on the Monday.

Q. You invited him to dine there yourself?

A. Yes, I did.

Q. He was a stranger to the other parties, was not he?

A. Not to Hooper, he was to the other parties.

Q. Hooper and you were acquainted before?

A. Yes.

Q. He was a stranger to the other parties?

A. Yes, he was.

Q. Did you make any proposal to introduce him to the Committee?

A. No, I did not.

Q. Had you not proposed to Angel to give you some assistance in this business?

A. I proposed to Angel, and gave him three shillings to make a staff for the flag.

Q. Had you proposed to Angel to be a party in this business?

A. We invited him to the meeting.

Q. You did?

A. Yes.

Q. Do you mean the dinner or the meeting?

A. The meeting.

Mr. Justice Bayley. To both meetings, or only to one?

A. Only to the last.

Mr. Wetherell. Had you not yourself endeavoured to prevail upon Angel to join your private meetings?

A. Yes, I had.

Q. Was Angel disposed to accede to that, or did he seem disposed to refuse it?

A. He refused it.

Q. You could not get him to join the meeting?

A. No.

Q. He declined it?

A. Yes, he did.

Q. Did not you desire several other persons to join your meeting?

A. Yes, every one we could see.

Q. Mention the names of any other persons that you invited to join the meeting, and who would not?

A. That I cannot exactly say; every one that we could light of.

Q. Confine it to yourself?

A. Me myself.

Q. Did you not invite several persons whom you could not prevail on?

A. I invited the two Crisps.

Q. The two Crisps would not join the meetings?

A. One of them was there, the other was not.

Mr. Justice Bayley. By your question, do you mean the private meetings or the public?

Mr. Wetherell. I understand the more private meetings

A. No, I did not mean the private meetings; it was agreed that no one should have any thing to do with the private meetings but ourselves.

Mr. Justice Bayley. How many did you endeavour to prevail upon to join the public meetings?

A. Every one I could get hold of.

Lord Ellenborough. Did I understand you right, that you endeavoured to prevail on Angel to join the private meetings?

A. No; I meant the public meetings.

Mr. Wetherell. He said at first the private meetings?

Mr. Gurney. No, he did not indeed.

A. No, I did not mean that.

Mr. Wetherell. Had you invited a good many to join the Spa-fields meeting?

A. *Yes, I had.*

Q. Had you ever told any persons you would get arms for them?

A. No, I do not know that I had; I told Angel in particular to attend.

Q. You did invite a great many persons to attend the Spa-fields meeting?

A. Yes.

Lord Ellenborough. Was the Spa-fields meeting the only meeting you invited people to attend?

A. Yes.

Mr. Wetherell. Did you prevail on many to go.

A. I do not know.

Q. The smiths you could not prevail upon to go?

A. I did not see them; I cannot say whether they were there or not.

Q. How many did you prevail upon to go?

A. I really cannot say.

Q. Tell us as nearly as you can?

A. I do not know indeed.

Q. There were a great many who refused to attend?

A. I do not know that there were; we used to give them the bills, and desire them to get as many of their friends as they possibly could.

Q. Did you not, from time to time, report that you had got a great many that would attend?

A. I did report every night, and sometimes once or twice a day.

Q. Were those reports correct, or not correct?

A. They were correct.

Q. You cannot tell how many you did get personally?

A. No, I cannot.

Q. Did you make a pretty favourable report at most of your meetings?

A. It was a correct report.

Q. Did you ever exhibit any in writing?

A. No, I did not.

Q. Did you ever exhibit a list in writing, of those who would attend?

A. No, I did not.

Q. Did you not say, that the smiths would attend?

A. Yes, I did.

Q. How many smiths did you say would attend?

A. There were about five hundred smiths and persons in the neighbourhood; Preston was with me at the time.

Q. Do you believe that five of those five hundred attended?

A. I do not know; I was not there.

Q. Upon your oath, do you believe, that one of those smiths attended?

A. Upon my oath, I cannot say whether there were any of them; I was not there.

Q. You cannot tell us how all the muster roll of smiths turned out that you promised for?

A. No, I cannot.

Q. How large the regiment of smiths was, you cannot tell?

A. No.

Q. Do you know any of them by name?

A. No; I know two of them by person.

Q. You cannot tell their names?

A. No, I cannot.

Q. Did you see any person attending the crowd whom you had invited to attend?

A. No, I did not.

Mr. Justice Abbott. He was not at Spa-fields?

A. No, I was not.

Mr. Wetherell. Before the second of December, did you go about to the public houses with a tri-coloured ribbon?

A. Yes, I did.

Q. Did you shew that to any soldiers?

A. Yes, I did.

Q. In what place?

A. In the Tower.

Q. Was that in the public tap-room at the Tower?

A. Yes, it was in what they call the Stone Kitchen.

Q. In the public room?

A. Yes.

Q. You did not take a soldier into a corner and shew it him secretly, but in the open room?

A. It was done in the open room; it was in the crown of my hat.

Q. You went in with it in your hat?

A. Yes.

Q. On the outside or the inside?

A. In the inside.

Q. You took it out of the hat and shewed it to him?

A. Yes.

Q. How many people might be in the tap-room?

A. There might be seven or eight.

Q. I understand you to say, you did not take the soldier into a by-place, but shewed it him in the room?

A. It was shewn him in the room.

Q. What said the soldiers to it?

A. They said it was a very pretty colour; they did not say any thing particular.

Q. What did you say to them?

A. We treated them with beer; and one of them asked me to lend him sixpence, and I gave him a shilling, and paid for three or four pots of beer.

Q. Was this more than once?

A. Yes, three or four times.

Q. You were at a house near Drury-lane where the soldiers were?

A. Yes.

Q. Was that in the public tap-room?

A. Yes.

Q. Were the soldiers in their red coats at that time?

A. Yes; with their accoutrements on, and attending duty at Drury-lane.

Q. That near Drury-lane must be a pretty public place?

A. No, it was in a little tap-room where they went.

Q. Was it an open room, where any person might come that chose?

A. Yes, any person might come to it.

Q. Do you recollect talking to any gentleman's servant there?

A. It was not there, it was at Newton's.

Q. Who was this gentleman's servant?

A. I do not know.

Q. Was it Mr. Chancellor Leach's servant?

A. I do not know; his master was an attorney, or something of that kind.

Q. Did you endeavour to seduce Mr. Chancellor Leach's servant?

Mr. Justice Abbott. When you have asked one question, and had an answer in the negative, your next question should not be framed upon that.

Mr. Wetherell. Certainly not, my Lord.

Mr. Justice Abbott. It is quite impossible to take a note of evidence, if that is done; our note is founded upon the question as well as the answer.

Mr. Wetherell. I am obliged to your Lordship.—Did you endeavour to seduce any gentleman's servant?

A. We saw a young person, and young Watson had a very serious quarrel with him; and told him that he was like a negro, that had run away, and had a mark of disrespect; and that very soon the time would come, when his master might lose his estate, and that he might be as

ood a man as his master. Thistlewood and the two Watsons were there at the same time.

Q. There was a great quarrel between them there.

A. Yes, there was a great quarrel, and they were obliged to withdraw in consequence.

Mr. Justice Abbott. Young Watson spoke of his livery as a mark of disgrace?

A. Yes.

Mr. Wetherell. What was the quarrel between young Watson and this servant about?

A. Because they did not all agree about what they talked about.

Q. Which was obliged to withdraw?

A. The gentleman's servants; one that was in livery, and the other not in livery.

Q. You went to the Horse Guards?

A. Yes.

Q. Where did you go to there?

A. To the Canteen.

Q. Was it a public room you went to there?

A. Yes, it was.

Q. Do you recollect going to dine at Bouverie-street?

A. Yes, I do.

Q. When was that?

A. The evening of the first meeting at Spa-fields.

Q. Who dined there?

A. The two Watsons, Thistlewood, Hooper, and myself.

Q. Was that the whole of your party?

A. Mr. Hunt, as I understood, Mr. Clark who was the chairman, and two or three other persons that I did not know.

Q. How came you to dine there?

A. We went after the meeting; knowing that it was the place where Mr. Hunt put up at, we went up there.

Q. Did you stay there long.

A. We stopped there while evening, while dark; it might be very probably about six or seven o'clock.

Q. How late did you stay there?

A. It might be, very probably, about six or seven o'clock.

Q. Be so good as to describe to us, what the attack was to be upon the Bank; you say that the Bank was to be defended by bottles and things of that sort?

A. Any thing that we could get hold of.

Q. Where were you to get the things to defend the Bank with, when you had got it?

A. Out of the gunsmiths' shops.

Q. You mentioned glass bottles yesterday?

A. Yes, we were to break into people's houses, and to get bottles or pitchers, or any thing we could.

Q. You were to throw them out of the houses?

A. Yes, and to throw down bricks and tiles, or any thing of the sort.

Q. You were to get into the Bank?

A. Yes, we were to get into the Bank; and if there were any more than could get into the Bank, they were to get into the surrounding houses.

Q. That was your plan?

A. Yes.

Q. Where were the glass bottles to come from?

A. From people's houses; those that had them in their houses.

Q. Do you recollect any thing particular happening at Bouverie-street?

A. Yes.

Q. What was it?

A. I recollect Mr. Hunt said that he could not see the colours on account of the wind blowing, and he desired me to show them to him, and I took them out, and Mr. Hunt took hold of one end, and I of the other.

Q. Mr. Hunt said he had not seen them?

A. That he could not see them distinctly, and the motto on them, on account of the wind blowing the other way.

Q. Do you recollect giving any particular toast at Bouverie-street.

A. Yes.

Q. What was it?

A. "May the last of Kings be strangled with the guts [illegible]he last of Priests."

Q. Did you propose that toast?

A. I gave the toast; and Mr. Hunt desired me not to be quite so violent, and stopped me.

Q. You proposed that toast yourself?

A. Yes, I did.

Q. Was that all Mr. Hunt said?

A. I believe it was.

Q. You believe it was?

A. I do not recollect any thing particular.

Q. You do not recollect any thing about turning out of the room?

A. No, nor nothing of the kind was ever mentioned about turning out of the room.

Q. Only a little hint that it was rather too violent?

A. Yes.

Q. Is that the only time you have been admonished not to be quite so violent in your toasts in that room?

A. Yes, it was; I never gave any more toasts.

Q. On any other occasion, has nobody ever admonished you not to be quite so violent?

A. Yes.

Q. That was the only time you were ever checked for being too violent?

A. Yes.

Q. Nothing was said about the company leaving the room, if you were so violent?

A. No, not that I recollect.

Q. Endeavour to recollect, whether Mr. Hunt did not put it stronger than not quite so violent?

A. I am not quite certain, whether Mr. Hunt might not say, that he would leave the room if we were so violent.

Q. Perhaps it was, that if you were so violent he must leave the room.

A. Perhaps it was.

Q. What was said about turning you out of the room, or that he would leave the room?

A. There was nothing said about turning me out of the room.

Q. Did Mr. Hunt say he must leave the room?

A. I am not certain.

Q. Do you remember falling asleep; a little nap?

A. No, I do not recollect it.

Q. What is commonly called a fox's sleep.

A. I do not know that I was asleep at all there.

Q. That sort of sleep, when a man pretends to be asleep and is not asleep.

A. I was not asleep.

Lord Ellenborough. You are asked, whether you shammed sleep?

A. No, I never pretended being asleep, nor was asleep.

Mr. Wetherell. You know what is the meaning of a fox sleep, or sham sleep; did you ever hear of what is called a fox's sleep; do you know what is meant by it?

A. Yes, I do.

Q. Did you not sham sleep?

A. No, to the best of my recollection I did not.

Q. Let us see whether you can recollect?

A. To the best of my recollection I was not; neither do I believe I was.

Q. You cannot positively deny whether you shammed sleep or not?

A. I cannot positively deny whether I was asleep or not; I think I was not.

Q. Did you pretend to be asleep?

A. No, I did not.

Q. Neither real nor pretended sleep?

A. No.

Q. Neither real sleep nor sham sleep?

A. No.

Q. Had Mr. Hunt invited you to dine, or had you invited yourself?

A. Mr. Hunt asked whether all that were there intended to dine.

Q. That is not an answer to my question; did Mr. Hunt invite you all to Bouverie-street, to dine with him?

A. No, he did not.

Q. What did you mean by saying that Mr. Hunt asked you to dine?

A. He asked, if all that were in the room intended to dine.

Q. He had not asked you to come and dine?

A. No, he had not.

Q. Then you went uninvited?

A. I went with the elder Watson and Hooper.

Q. Did you ask yourselves to dinner, or did he ask you?

A. There was nothing of the kind said.

Q. How came you to dine with him?

A. I walked up as many thousands did, and I walked in, finding that Thistlewood, Hooper and the two Watsons were there.

Q. Did you not invite yourselves to dine at the same table with Mr. Hunt?

A. No.

Q. How came you to dine there?

A. No, I did dine there.

Q. Did you not say something to Mr. Hunt about it?

A. No, I did not.

Q. What did he say to you, or you to him?

A. He said nothing particular to me; he and I had no particular conversation distinctly with each other.

Q. Did Mr. Hunt desire you and the people with you, to sit down at the same table with him?

A. No, he did not.

Q. Did either you, or some of those with you, propose to sit down with him?

A. Yes, I suppose so.

Q. Was it you, or who was it?

A. I cannot tell.

Q. Do you remember going up and ringing the bell, and asking what you could have for dinner there?

A. No, I do not.

Q. What was the general subject of your discussion there?

A. Merely about the meeting and the next meeting; there was very little said about politics the whole of the time.

Q. Only your toast.

A. There were other toasts drank.

Q. Do you remember saying any thing about the soldiers to Mr. Hunt?

A. No, I do not.

Q. Do you remember Mr. Hunt reproving you for saying something about the soldiers?

A. No, I do not.

Q. Try your recollection?

A. I really do not recollect.

Q. You have admitted a little violence about the toasts?

A. I have admitted the truth.

Q. Was there any violence about the soldiers?

A. No, not that I recollect.

Q. Did he not give you a little reproof on that subject?

A. I have not a recollection of any reproof, not about the toast.

Q. You recollect the toast now?

A. I give you the toast.

Lord Ellenborough. Were there many toasts drank?

A. Yes, there were.

Mr. Wetherell. Did any person at table give the King's health?

A. No, the King was left out of the question.

Q. The King's health was not drank?

A. No, it was not.

Q. Do you swear that positively?

A. I never heard it drank.

Q. Were you near enough?

A. I was in the room the whole of the time.

Q. At the table where Mr. Hunt dined?

A. Yes, so I understand.

Q. Was the King's health drank or proposed at the table, at which you dined, at or after dinner?

A. No, it was not.

Q. Did you not tell Mr. Hunt, that you had assisted in getting French officers, or some French officer out of the country?

A. Yes, I did; I recollect there was something said about it there.

Q. Do you recollect that you told Mr. Hunt you had assisted in getting French officers, or some French officer out of the country?

A. Yes, I did, I believe.

Q. Did you tell him you had got five hundred pounds for it, or some other sum?

A. I do not know.

Q. You do not know the money that you mentioned?

A. No, I do not.

Q. Is that true or false, that you ever did assist in getting a French officer out of the country?

A. Never.

Q. Why was this said?

A. It was on account of a number of them knowing that I had been taken up with an officer, and I told them I had assisted in taking this French officer away, though I had not.

Q. Did you say nothing about having threatened to shoot the French officer, because he would not get along with you quick enough on horseback?

A. Not to the best of my recollection, I never did.

Q. You never said at this dinner, that you had threatened to shoot the French officer?

A. There was no such conversation at dinner.

Q. At dinner, or after dinner, did you tell Mr. Hunt you had assisted in getting this French officer out, and that you had threatened to shoot him, because he did not get on quick enough?

A. No.

Q. Do you recollect the name of Colonel Lefebvre Desnouettes?

A. Yes, I recollect his name being mentioned.

Q. Did you not say you had assisted in getting Colonel Lefebvre Desnouettes out of the country?

A. No, I do not think any thing of the kind was mentioned.

Q. Are you certain you did not say, you had assisted in getting Colonel Lefebvre Desnouettes out of the country?

A. I am positive I did not.

Q. Did not Mr. Hunt correct you and say, you must not say such things?

A. I do not know.

Q. Did he give you any other correction on account of your conversation, besides the toast?

A. I do not recollect.

Q. Nor can you form a belief?

A. *I cannot recollect* whether I did or did not.

Q. Nor can you form a belief?

A. I really cannot say, I had taken rather too much wine and spirits; and I cannot recollect all that passed.

Q. Do you recollect any body shaking you there?

A. No, I do not.

Q. Did any other persons, dining at the table, admonish you for your expressions besides Mr. Hunt?

A. No.

Q. Were there any others dining at the table?

A. Yes, there were two or three others.

Q. Can you mention their names?

A. No, I cannot.

Q. Do you mean to say, you were in liquor at this dinner in Bouverie-street or after dinner?

A. Yes, I was.

Q. I mean, at this dinner, after the first Spa-fields meeting?

A. Yes, I was; I had drank a good deal of liquor up at Merlin's Cave, I believe.

Q. You mean to say you were in liquor.

A. Yes, I do.

Q. Before dinner or after?

A. Both before and after.

Q. Do you mean to say you were drunk before dinner?

A. No, I do not mean to say I was drunk; I was the worse for liquor.

Q. What you call just primed. What quantity of liquor was drank in Bouverie-street?

A. That I cannot exactly say.

Q. Do you mean to say, the liquor you drank at or after dinner would have made you intoxicated?

A. No, it was the liquor I had drank before.

Q. I understand you to have said, that before the meeting, on the 2d of December, your former plan for burning the barracks was given up for the present?

A. It was.

Q. What do you mean by its being given up?

A. On account of Harrison withdrawing, and not having a house—not getting the house.

Q. What was the rent of the house?

A. I do not know.

Q. What was asked in advance for the rent of the house?

A. I think fifteen pounds.

Q. That was for a quarter.

A. No, for the fixtures.

Q. You could not raise the wind to pay this money down?

A. The money could have been raised; the money would have been paid, but the gentleman would not give up the key.

Q. After you could not get this house to put in combustibles to burn up all the barracks, you did not go to look after another house?

A. No, it was too late.

Q. How do you mean, too late?

A. It was on the Friday or Saturday, and the barracks were to have been set fire to on the Sunday night.

Q. Had you got the combustibles?

A. No, they could soon be got.

Q. They were to be a hundred and twenty pounds worth.

A. No, I did not say that; I said about a hundred pounds.

Q. Did not somebody say, twenty pounds should not be spared?

A. Yes, Thistlewood did.

Q. What was your plan to be for burning the barracks; was it to block up the avenues to the barracks?

A. The whole of the avenues; the combustibles were to be set in and then set fire to, to prevent the cavalry coming out.

Q. Did not you propose this plan yourself?

A. No, I did not.

Q. Who did?

A. The elder Watson and Thistlewood.

Q. Of course you will say that?

A. Yes, I will.

Q. How many avenues are there into the barracks?

A. There are six that were to be set fire to at the King-street Barracks.

Q. You were to set the six on fire at once, were you?

A. Yes.

Q. You were to fire them at six places at once, and stifle the soldiers?

A. Yes.

Q. Are they pretty wide avenues into the barracks?

A. Yes, they are cart roads.

Q. They are six avenues, large enough for a cart to go through?

A. They are not six avenues large enough for a cart to go through, but there were six to be set fire to; there is a small gate up the stable-yard which was to be set fire to.

Q. They were all to be stifled and smothered?

A. Yes.

Q. The reason of this plan being given up was Harrison's withdrawment?

A. Yes.

Q. Why was it given up by the other five, after Harrison withdrew?

A. We were afraid, on account of the meeting taking place afterwards.

Q. That had nothing to do with Harrison's withdrawing.

Why did not the five go on with it, notwithstanding his withdrawment.

A. It was in consequence of Mr. Hunt drawing up the petition, and the first meeting of the Spa-fields; finding there was so great a number, they thought that there would be as great a number again the Monday fortnight following.

Q. Then you gave up the barracks entirely?

A. Yes, we gave up the burning of the barracks entirely.

Q. You told us just now, that that was in consequence of Harrison's withdrawing, and the not getting the house?

A. Yes.

Q. If it had not been for that, most probably it would have been carried into effect?

A. Yes; unless they had escaped.

Q. You said it was at one o'clock in the morning, the coaches and carts to form the barricade?

A. Yes.

Q. How were you to get those people together; you said you were to have servants and drunken people, how were you to get them together at half past twelve or one o'clock; were you to take the gentlemen going home from the opera.

A. The whole of the people we had spoken to were to collect together in a certain place in the park, in the Regency Park; there they were to have beer and liquor, and bread and cheese; to collect them together, some in one place and some in another; but if we had got a house, the people we could place confidence in were to be employed in putting in the heads of the pikes, and boring the holes for the pikes, until we were able to get the combustibles ready.

Q. Detail the plan for this insurrection, at between half past twelve and one in the morning?

A. Thistlewood and young Watson were to call their men, if they could get them together, at the bottom of

Gray's-Inn-lane, at a certain hour; and the elder Watson and me were to have those people, three or four hundred people, if we could get them together, as nigh as possible to the barracks, to divide this ingredient that was to set fire to both the barracks. Those men——

Q. We need not proceed with this, you were to get all these people together?

A. Yes, we were; we were to set fire to the barracks at a certain time.

Q. Then you said something yesterday about the coachmen joining you?

A. We were to take their horses out and make the coachmen join us, and make every person join us.

Q. And all the drunken people you could pick up, I think you said?

A. No, I did not say any thing about picking up drunken people; I said it was to be on the Saturday night, or early on the Sunday morning, as there would be a great many drunken people about.

Q. You said you were to take the horses out and make the coachmen join you?

A. Yes.

Q. Gentlemen's carriages or hackney coaches?

A. Yes, any thing we could get; the horses were to be mounted by those that could ride to form a cavalry.

Q. Those that could ride were to mount the coach horses to form a cavalry?

A. Yes.

Q. What were you to do with the carriages?

A. Blockade the different avenues.

Q. Now let us begin the blockade; was the end of Oxford-street, near the Park, to be blockaded?

A. No.

Q. Why not, that was a good wide avenue?

A. That was to be guarded by two field pieces.

Q. What general was to guard the two field pieces at the end of Oxford-street; general Hooper, or general Preston, or general Castle,—Hooper was the lame general?

A. No, Preston, he was to take the Tower.

Q. Who was to guard those two field pieces at the end of Oxford-street?

A. Harrison, being an artillery man.

Q. The hackney coaches or gentlemen's carriages were to blockade all that side of Oxford road?

A. At the right hand side of Portman-square, to prevent any soldiers coming in, all that part on the right hand side of Oxford-street was to be barricaded.

Q. All the way down to Gray's-Inn-lane?

A. Yes, as they got the field pieces.

Q. They were to blockade all that district of the metropolis down to Gray's-Inn-lane?

A. Yes, with any thing they could get.

Q. What is Hooper?

A. A shoemaker.

Q. A cobbler is not he; you know the difference between a shoemaker and a cobbler?

A. I do not know which he is.

Q. What is Preston?

A. A shoemaker, I understand.

Q. A master shoemaker?

A. I do not know.

Q. Did you ever see either of them on horseback?

A. No, they both told me they could not ride.

Q. But they were to be generals of division?

A. Yes.

Q. Hooper was to go down to the Tower?

A. Hooper was to have nothing to do with it, I told you that before.

Q. Preston cannot ride?

A. *He has told me so himself.*

Q. And he is lame?

A. Yes.

Q. How was this lame general to lead on his division?

A. He said he could walk fast enough on an occasion of that kind.

Q. He was to have the command of one entire division?

A. Yes, he was.

Q. Having blockaded or supposed we have blockaded that part of London, let us proceed to another part of the metropolis; what were you to do at Piccadilly?

A. To have barricaded all the gates into the park, and to chain the Piccadilly gate.

Q. The turnpike-gate?

A. Yes.

Q. Was that all you were to do there?

A. Yes, till we got to the Horse-Guards, there we were to blockade.

Q. What were you to blockade with in Piccadilly, any carriages?

A. Any thing we could get; there was a certain quantity of spikes at the gentlemen's gardens, they were to be taken down.

Q. The spikes.

A. The wall and all together, with the spikes fixed in them, or to pull down the pallisading if necessary.

Q. Do you mean the wall on the Piccadilly side opposite Lord George Gordon's house?

A. I mean that on the left hand side going down.

Q. Do you mean the Marquis of Wellesley's wall?

A. All the way down; we were to take them down and barricade with them if we could not do without.

Q. If you could not get coaches enough?

A. Yes, the spikes, and the walls, and all together, if we could not get any thing else.

Q. You have told us doctor Watson is a good calculator, did he calculate how much time this would take?

A. He said it would not take much time; we should have so many people, it would be soon done.

Q. Did doctor Watson take out a pen and make a calculation how many days it would take?

A. That we should get the whole possession of London in the course of three or four hours.

Q. The walls with the spikes upon them were to be taken down and removed to the end of Piccadilly in three or four hours?

A. Yes, the different generals were to attack those places at one and the same time; and after the barracks had been set on fire, London would be in such an alarm the soldiers would not attempt to come and attack us, and we were to halloo out that the soldiers had all joined us.

Q. Then the poor soldiers in the barracks were to be smothered like rats in a ship?

A. Yes.

Q. Then about Knightsbridge barracks, that was a principal station, what had you to do there?

A. We went to the Knightsbridge barracks, and found it was impossible to get at them.

Q. The doctor did not make up a potion for them; no stink to stink them to death?

A. We could not get at them.

Q. You told us the doctor was to stink them to death?

A. No, I did not.

Q. You did indeed?

A. I said that the stench was to be so great that they would soon be dead.

Q. Why was not the stinking plan adopted to the Knightsbridge barracks as well as to the other?

A. I have told you before, that the barracks had so many avenues, and would take so much combustibles, that

: was impossible to get at them, for Thistlewood and he elder and younger Watson, and myself, had inspected hem.

Q. You found that you could do nothing with the Knightsbridge barracks?

A. No.

Q. That you could neither stifle them to death, nor stink them to death?

A. Stink was never mentioned, only stench.

Lord Ellenborough. He has repeated the word with perfect accuracy.

Mr. Wetherell. Yes, he has, my Lord.—How were those men to be prevented entering?

A. If they came galloping to enter London, the two field pieces were to be put to play upon them.

Q. Where were they to be put?

A. Just within the Oxford-road gate.

Q. As they came up from the Knightsbridge barracks, those two field pieces were to be played upon the soldiers?

A. Yes.

Q. That was your plan to stop the soldiers?

A. Yes.

Q. Were you to have any regiment of infantry to stop the soldiers too?

A. There was to be a party of pike-men also left there?

Q. And what with the two field pieces and the pike-men, the Knightsbridge barrack-men were to be put to flight?

A. Yes.

Q. Now as to your guns; what were you to do with them?

A. There was to be a field piece put at the top of the Green Park, to play upon them if they came out that way towards the palace; a couple of field pieces, if they could have been spared, were to be placed there.

Q. You have told us, yesterday, there were to be only two field pieces, which you proposed to take?

A. The whole of the field pieces were to be taken from the Saint John's Wood barracks.

Lord Ellenborough. All this having been detailed yesterday, you have it for observation; you will consider whether it is necessary to take down the whole again on cross examination; but at all events, the interlarding it with observations is not a correct mode of examination.

Mr. Wetherell. Was it part of your calculation to use Buonaparte's great mortar taken in Spain; you know the mortar?

A. Yes, I do.

Q. Was it part of your calculation to put in some powder to the great mortar?

A. No.

Q. Or the great gun that came from Egypt?

A. No, they were not mentioned.

Q. In short, this was to be your system of tactics?

A. Yes.

Q. Now what was to be done with the infantry barracks, before you get down to Knightsbridge?

A. Thistlewood and myself went and examined it both in front and back, and found that they were not iron bars; and that if it was set fire to in front they could make their escape in the back, and that was to be let alone.

Q. There was a rat-hole for them to escape?

Mr. Justice Abbott. I defer to your judgment, that what you ask on cross examination is material; and therefore I wish to take a note of it; but I cannot go on so quickly; I must lay down my pen.

Mr. Wetherell. I beg your lordship's pardon.—There was no plan laid down for them?

A. No, there was not.

Q. London bridge was to be barricaded, to prevent the artillery coming from Woolwich you said.

A. Yes, I did.

Q. Had you formed any plan to prevent its being brought up by water?

A. Yes, I had.

Q. What was your plan?

A. That was the reason that young Watson and I were sent down to the wharfs, to see what guns and carriages and grape there were; and the ships in the river were to be manned to prevent their coming up, and we were to send immediately out to inform those ships that were out at sea, that there was a new government established, and that they must come home for fresh orders.

Q. Then your plan was a blockade upon the Thames, as well as upon the roads?

A. Yes, it was.

Q. You say that no more than six persons formed your committee, or whatever you call it, for the execution of this plan?

A. There was only six.

Q. Six was the whole number?

A. Yes.

Q. I did not precisely understand what the title of your command was?

A. All six of us were generals.

Q. Have you ever mentioned this naval part of the plan before?

A. Yes.

Q. When?

A. Not yesterday I did not.

Q. Why did not you mention it yesterday?

A. I cannot say.

Q. Did you think it too ridiculous yesterday?

A. No, I did not.

Q. Why did not you mention it yesterday?

A. You stopped me.

Q. I did not examine you yesterday.

A. I was stopped when I was going to tell that story concerning young Watson and myself going down to the ship-brokers, to collect all the information we possibly could with respect to what ammunition there was, such as powder, ball, grape, and shot, there were in the different ships; so that we should be enabled to man all the vessels we might want in the river, so as to send them out to sea, or to prevent their coming by water from Woolwich.

Q. Have you ever gone by the name of Jackson?

A. Yes, I have.

Q. Upon what occasion?

A. After the first Spa-fields meeting, Angel thought it would be much prudenter, for fear I should be taken, to go by some other name; and that was the reason I went by the name of Jackson.

Q. Angel thought it would be much more prudent, for fear you should be taken, to go by some other name; and that was the reason you went by the name of Jackson?

A. Yes.

Q. And you went by the name of Jackson in consequence of that?

A. Yes, but I did not take the lodgings in the name of Jackson; I took them in my own name.

Q. How came Angel to think it would be more prudent?

A. For fear I should be taken.

Q. How came he to think you were in danger of being taken?

A. By there being but six of us, and so frequently going to and from the committee, and going so frequently to the Cock, and Hooper having been apprehended.

Q. But though you changed your name, going so often *backwards and forwards* your person might be apprehended?

A. I did not go backwards and forwards.

Q. You went, you say, between the two meetings, to Greystoke place?

A. There was never nothing took place till after the second meeting.

Q. When did you change your name?

A. Not till after the second meeting.

Lord Ellenborough. I understood you to say the first meeting?

A. It was after the second meeting, after Hooper was apprehended.

Mr. Wetherell. You did not change your name till after the second meeting?

A. No, I did not.

Lord Ellenborough. Where were the lodgings of which you speak?

A. No. 19, Prince's-row, Newport-market.

Mr. Wetherell. Did you ever live up in Carnaby-market?

A. No.

Q. Recollect?

A. No, I never did.

Q. You told us yesterday, that you went to Exeter Change to see for the arms there?

A. Yes, I did.

Q. What arms did you calculate on getting there?

A. There might be very probably guns, sabres, and swords, forty or fifty or more.

Q. Did you see forty or fifty?

A. Yes, we did.

Q. You saw forty or fifty guns and pistols there?

A. Not guns and pistols, but swords and sticks with dirks; sticks were to be got as well.

Q. Did you not state that guns were to be got at Exeter Change?

A. I said yesterday as I shall to-day, that we went to

Exeter Change to see how many guns, pistols, swords, and dirks, were to be got.

Q. How many guns might you see in Exeter Change?

A. I really cannot say whether we did see any guns in Exeter Change; but swords and pistols we did see.

Q. Will you swear you did see one pistol there?

A. I cannot.

Q. Will you swear you saw one sabre there?

A. Yes, more than twenty.

Lord Ellenborough. I think he mentioned the quantity there, and at a shop close by?

A. Yes, at a shop close by.

[*Mr. Justice Abbott referred to his notes.*]

Mr. Wetherell. Was not it one of your reasons for giving up this blockade plan, that the people were not ripe for it?

A. Yes.

Q. That was one of your reasons for giving it up?

A. Yes; we went to Spital-fields, to see what number of people there were there; not that they were not ripe there, but that we could not get a sufficient number.

Q. That was your reason?

A. One of our reasons, that we could not get a sufficient number without calling a public meeting?

Q How long had you known Keenes, before he joined this party?

A. I had seen him several times at the different meetings—at the Spencean meetings.

Q. You stated, yesterday, that Mr. Watson, the prisoner, made a communication to you about overturning the government?

A. He did.

Q. I believe at that time he did not know your address, did he?

A. *He did not.*

Q. How long had you known him, two or three days?

A. I had seen him several times at the different meetings.

Q. Had you seen him more than two or three times?

A. I had seen him several times, I think.

Q. He did not know where you lived?

A. No, he did not.

Q. But he began by stating to you that it was no difficult matter to overturn the government, provisionally that the plan was properly handled?

A. Yes.

Q. Those were his exact words?

A. Yes.

Lord Ellenborough. I have the word conditionally?

A. Yes, that was the word.

Mr. Wetherell. Though he did not know where you then lived?

A. No, he had seen me at the Cock.

Q. Will you swear that he had spoken to you twice before that time?

A. No, I do not know that he had.

Q. Will you swear that he had spoken to you once?

A. No, I do not know that he had.

Q. The first time he spoke to you, was about subverting the government?

A. He talked to me about other things besides overturning the government; the first time I had any conversation with him, was when he talked to me about the plan of upsetting the government.

Q. When did you first disclose this transaction to any body after the second Spa-fields meeting?

A. On the 6th or 7th of January.

Q. And you were first imprisoned in February?

A. Yes, I was.

Q. You made the disclosure about the 6th of January?

A. Yes.

Q. And were taken into custody in the beginning of February?

A. Yes, I was.

Q. Were you present at the Spa-fields meeting, near enough to hear the resolutions put?

A. I was in the room.

Q. Do you recollect seeing the magistrates there?

A. Yes, I do;—I do not recollect whether they were magistrates.

Q. Give us the names of them?

A. I do not know whether they were magistrates or not; I saw three or four people there.

Q. Have you not boasted, that you had at the first Spa-fields meeting, put your fist in the magistrate's face?

A. I did that in the presence of Thistlewood; I do not know whether he was a magistrate or not; it was a person sitting near the table.

Q. Did you not boast that you had at the first Spa-fields meeting, put your fist in the magistrate's face?

A. I do not know that he was a magistrate.

Q. Did you not say that it was?

A. Yes, I very probably might.

Q. You have boasted that you put your fist in the magistrate's face at the first Spa-fields meeting?

A. A gentleman was going to shove me off the table, and I said, if he did, I would knock him down; I do not know that he was a magistrate, but I was told afterwards that he was a magistrate.

Q. Have you any doubt that he was a magistrate?

A. I do not know whether he was a magistrate; I was told afterwards that he was.

Q. Do you know the persons of the police officers, any of them?

A. *Yes, some of them.*

Q. Did you see any of the police officers at the Merlin's Cave, the first meeting?

A. Yes, several of them that I knew by sight.

Q. I believe you are not unacquainted with the police officers.

A. I know several of them by sight.

Q. Were there a great many of them?

A. There were several.

Q. The names of the magistrates you do not recollect?

A. I do not know whether there were magistrates or not.

Q. Was Mr. Hunt close to the flag when you held it out of the window?

A. I did not hold it out of the window, I gave it to some person up stairs.

Q. Was the flag within sight of the police officers?

A. Yes.

Q. Was the flag within the sight of the gentleman in whose face you held up your hand?

A. I do not know.

Q. Must not he have seen the flag if he held up his face?

A. Yes.

Q. Do not you know that the room which you forced yourself into at Merlin's Cave, was a room which the Magistrates had taken?

A. No, I know nothing about that.

Q. Do not you know now, that it was a room they had taken?

A. No; I did not know now till this moment you have told me.

Q. You did not know now that that was the room taken by the magistrates?

A. I did not.

Q. Nor you do not know it now?

A. I do not.

Q. You saw some of them about the house?

A. I saw some of them both in and out of the house.

Q. Whether the room you went up into was the room they had taken, you do not know?

A. I do not know, nor did I know that they had taken any room in the house.

Q. Did you not force yourself up into that room?

A. I went up like a great many others, after I had given the flag.

Q. Did not you say something rude to the landlord, after you had given the flag?

A. No, I did not see the landlord, nor did I know him.

Q. How many went up into this room with you?

A. I do not know.

Q. Were there ten, twenty, or thirty; was the room full?

A. It was pretty full.

Q. Were you one of the first or the last?

A. I was one of the last.

Q. Did not you and the party who went with you, force the magistrates out of their room?

A. This is the first time I ever heard of it; I did not know they had taken a room there.

Q. But they were about the house?

A. I do not know; I never was in the house before in my life, nor did I know they were going to the house.

Q. Did you know who had taken the room into which you and the other persons went up?

A. I did not.

Q. Did not you and the other persons forcibly go up into that room?

A. No, I did not.

Q. Had not some persons forcibly gone up into that room before you went?

A. That it is impossible for me to say, I did not see them.

Q. Before the flag was exhibited at the window, was the frame taken out in your sight?

A. The frame of what.

Q. The frame of the window?

A. No; neither did I know that it was taken out.

Q. You could not see that?

A. No, I did not.

Q. How near were you standing to Mr. Hunt, when the flag was held out of the window?

A. I was not near the window where Mr. Hunt stood, but the other window.

Q. In another house.

A. No, only at the left hand window.

Q. How near is the left hand window to the right hand window?

A. Almost close by.

Q. Did Mr. Hunt project himself out when he was speaking?

A. Yes; he hung his head out a little.

Q. Could you see him?

A. Yes, I could.

Q. Was the flag hanging out of the window?

A. Yes.

Q. Could he fail to see the flag when he put his head out?

A. It was impossible he could see the flag well, for the wind blew it against the wall.

Q. He must see the flag?

A. Yes, waving backwards and forwards; certainly he must see it.

Q. How many people were there when Mr. Hunt was speaking?

A. A great many thousands.

Q. Were there five thousand?

A. Yes, I have no doubt there were.

Q. Twenty thousand?

A. It was said there were as many as fifty thousand.

Q. Did you see any police officer whose name you can mention?

A. No, I did not.

Q. Did you see the people who belonged to the Cold-bath-fields prison, at the first meeting?

A. No, I did not.

Q. Do you know Mr. Beckett, the underkeeper of Cold-bath-fields prison?

A. Yes, I do.

Q. Did you see him there the first meeting?

A. No, I did not.

Q. To the best of your belief, what number of persons were round Cold-bath-fields prison when Mr. Hunt was addressing them?

A. I really cannot say, I thought myself there might be about fifteen or twenty thousand; there were some going and some coming.

Q. Do you know Mr. Dyall and Mr. Clarke, who acted as chairman at the last meeting?

A. I know Mr. Dyall.

Q. Do you know Mr. Clarke?

A. No, I do not; I never saw him before in my life; nor do I know any further of him than hearing that his name was Clarke?

Q. What did you do with the flag, after you had been at the first Spa-fields meeting; you kept it, did you?

A. I took it with me to Bouverie's hotel.

Q. Is the flag that was used at the second Spa-fields meeting, the same identical flag that was used at the first, or a similar one?

A. The same identical one.

Q. When the meeting was over, you took it from the place, and preserved it?

A. I preserved it till the Sunday morning.

Q. You went away with it?

A. Yes, I did.

Q. I suppose your person is pretty well known to the police officers, is it not?

A. I do not know.

Q. You have a doubt whether your person is well known to the police officers?

A. There are only two or three to whom I am known.

Q. When did you change your name?

A. I did not change my name.

Q. Why did you put on another name?

A. That was my own choice?

Q. You stated that you were in very great distress before February last?

A. So I was.

Q. Since you were arrested, who has supported you between your arrest and the time of your commitment: you are very well dressed now, who has paid for your dress?

A. I have been supported in Cold-bath-fields; I mean, in Tothill-fields.

Q. Who paid for your dress?

A. Mr. Stafford.

Q. The gentleman who sits here?

A. Yes.

Q. How long have you had that coat on?

A. I have had it about a month or six weeks.

Q. Did Mr. Stafford order it for you?

A. No, I went and purchased it at a clothes-shop.

Q. Who gave you the money?

A. Mr. Stafford.

Q. Did Mr. Stafford pay for the whole of the clothes you have on now?

A. He did.

Q. Has he given you the pocket-money you have had ever since?

A. Yes, he has.

Q. Who has paid your expenses while you have been in confinement?

A. I do not know who has paid that I have been kept.

Q. Mr. Stafford has given you money for your clothes?

A. No, he has paid for them himself.

Q. Have you had any pocket money since you have been in confinement?

A. Yes.

Q. From whom?

A. Mr. Stafford.

Q. Who furnished the outfit for your wife's going into Yorkshire?

A. Mr. Stafford.

Q. How much had you?

A. £.5.

Q. When was that?

A. The beginning of February.

Q. How came you to send your wife out of town, what harm had she done?

A. No particular harm.

Q. She was not a traitress?

A. No.

Q. What did you send her out of town for?

A. That is best known to myself.

Q. Who suggested that she should be sent out of town?

A. No person.

Q. Nobody but yourself?

A. No.

Q. You alone?

A. Yes, me alone.

Q. If your wife had been here, would not she have been able to have stated many of those things you have stated?

A. No; I never communicated any thing of my affairs to her.

Q. You do not communicate your affairs; but times and places are circumstances she would know as well as you.

A. I do not know that she would.

Q. Do you mean to state, that if your wife was here, she would not be able to state many things you have stated?

A. No.

Q. Or not state things you have stated?

A. No.

Q. Neither negative nor affirmative.

A. No, not that I know of.

Q. Would not she verify the fact of being desired to go out of the room, when you had this private conversation with Mr. Watson?

A. Very likely she might.

Q. That fact she might speak to; that was not a communication but a fact?

A. Yes.

Q. Could not she have stated where you were at different times.

A. No; I do not suppose she could.

Q. She could have stated nothing then that you have stated.

A. I do not suppose she could.

Mr. Attorney General. I do not wish to interrupt my learned friend Mr. Wetherell; if he asks him whether he communicated any thing to his wife, that is another question.

Mr. Wetherell. It is rather matter of inference, perhaps, than of question.—Pray, after Preston had been taken, did you take care of any of his goods for him?

A. They were not his goods.

Q. After Preston was arrested, there were some goods, the custody of which you took upon yourself, some of his furniture?

A. They were not his furniture, they belonged to the whole of the committee.

Q. There were some things after Hooper was taken, you took care of?

A. When Preston was taken by the Lord Mayor, his daughters assisted me in getting some of the things away, as there was some rent owing; and I went and took another room to put some of the things in. I got away a table, and an old flock bed there was at No. 9, that I had assisted doctor Watson in bringing from his lodgings, which he gave to the committee.

Q. When the committee broke up, what became of those goods?

A. They were left at Greystoke-place.

Q. What became of them, you took them to your own lodgings?

A. Yes, the old table and the old bed.

Q. Those were the only things?

A. Yes; I believe there was nothing else material.

Q. The committee being broken up?

A. Yes; they left Preston's daughters provided with victuals, and left me without a farthing, or any thing, and I took those things, and appropriated them to my own use. Preston's daughters assisted me in taking them away, and they wanted them back again, and I would not let them have them.

Q. What reason had you to expect them to support you?

A. They had supported me before.

Q. And they were to go on and support you?

A. Yes. Thistlewood always promised, that if any thing happened, we should have sufficient money to take us out of the country.

Q. I have heard a story about the key of Hyde-street, *what is that?*

A. I know nothing of any key of Hyde-street, and I never had the key.

Q. Will you swear you had not access to the house at Hyde-street?

A. I will. You mean Hyde-street, Bloomsbury?

Q. Yes, I do?

A. I never had access to it, nor was never more than three times there in my life, and that was with the elder and the younger Watson.

Q. You have been there?

A. I have been there. I took the pikes there; me and young Watson took the pikes there.

Q. And you know that the pikes were found in the privy there; do you not?

A. I do not.

Q. Upon your oath, or your word, if you like, do not you know that the pikes were found there?

A. I have heard since, that the pikes were found in the privy; that there had been some pikes found in the privy.

Q. You have chanced to hear that there were some pikes found in the privy?

A. Yes; Mr. Nodder, in whose custody I am, gave me that information.

Re-examined by Mr. Gurney.

Q. Did you ever hear that the pikes had been found in the privy, till Mr. Nodder informed you of it after you were in custody?

A. I never did.

Q. Were you ever at that house at Hyde-street, Bloomsbury, after young Watson and you had carried the pikes there?

A. Never; yes, I beg your pardon, I was; the last time I was there was either the Tuesday or the Wednesday after the first Spa-fields meeting; I went one evening to assist the elder Watson in bringing away his things.

Q. You were there with the elder Watson?

A. Yes, and Preston's daughter.

Q. In assisting to carry away the things, to what place?

A. To Greystoke-place.

Q. The elder Watson was then in your company?

A. Yes; he went and opened the door, and held the door while we got the things away at night.

Q. Did you ever see the pikes after you had left them under the bedstead.

A. Never; I never saw the pikes nor the bags.

Lord Ellenborough. You have mentioned, that it was agreed you should give the soldiers a hundred guineas a man, or double pay; had you contemplated any means of giving them that money presently, or were they to be paid in future?

A. They were to be paid as soon as ever we got possession of the Bank, from the money we got at the Bank.

Q. That had been agreed upon?

A. Yes, that had been agreed upon.

Q. Did you expect to find money there, which you were to distribute among the soldiers in the proportion stated?

A. Yes.

Q. Had that been matter of arrangement?

A. Yes.

Q. Who had been parties to it?

A. Harrison, the two Watsons, Thistlewood, Preston, and myself.

Q. Had you settled any other measures that were to be consequent upon the supposed success of your attempts upon the Bank and Tower.

A. Yes.

Q. What further measure had you arranged?

A. The whole of the notes in circulation now were to be destroyed.

Q. Bank notes?

A. Yes, and nothing but cash paid. It was agreed that there was plenty of silver; the whole of the plate was to be taken away from all the noblemen in the kingdom; and there was to be fresh coin made with a fresh motto and a cap of liberty; that was agreed at a meeting of the committee.

A Juryman. At which meeting of the committee?

A. On the Sunday.

Q. You state that there were several meetings on a Sunday, which Sunday?

A. The first Sunday I ever met when the plan was arranged for setting the barracks on fire.

Mr. Justice Abbott. He never fixed the date of the first Sunday; but that it was the Sunday fortnight before the Spa-fields meeting.

A Juryman. He stated that they met on two Sundays.

Mr. Justice Abbott. Yes, he did.—This was the first?

A. Yes, it was.

Q. Were you to seize arms by force, or to endeavour to purchase them?

A. Each general was to have a check book and give an order upon the head general, Thistlewood; if they would let us have the guns by paying for them, there was to be a check given, but if not, they were to be taken by force.

Q. Were there any checks drawn out?

A. No.

Q. You stated that the first place to be seized was the Bank?

A. The Bank and Tower.

Q. Was there any other place you meant to have seized on?

A. Somerset-house was to be made the head quarters.

Q. Do you mean, upon the first breaking out of the attack?

A. Yes.

Q. You had no money in hand except the small sums you have mentioned?

A. No, what money there was came entirely from Thistlewood, and I did not know what money he was in possession of.

Q. Nobody else had any pecuniary fund but Thistlewood?

A. Not that I know of.

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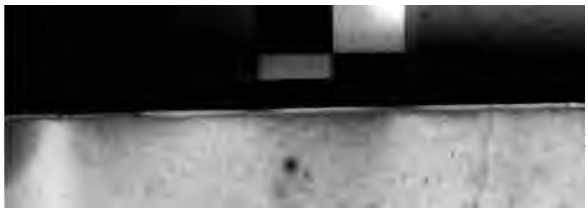

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